

during a war in which the United States are a neutral nation, and for other purposes; to the Committee on Foreign Affairs.

Also, a bill (H. R. 17379) to authorize the collector of customs, or other officers duly empowered by the President, during time of war between foreign nations to inspect private vessels within the jurisdiction of the United States for the purpose of detecting any use or attempted use of such vessel in violation of the law of nations or of the treaties or statute law of the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HARRISON: A bill (H. R. 17380) for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise; to the Committee on Ways and Means.

By Mr. HAYDEN: A bill (H. R. 17381) to establish game sanctuaries in national forests, and for other purposes; to the Committee on Agriculture.

By Mr. BELL: Resolution (H. Res. 344) providing for the consideration of S. 509; to the Committee on Rules.

By Mr. TAGUE: Resolution (H. Res. 345) for the appointment of a committee to investigate the delay in delivery of certain cablegrams; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 17382) granting a pension to Elizabeth Jenkins; to the Committee on Invalid Pensions.

By Mr. BEALES: A bill (H. R. 17383) to correct the military record of Adam R. Bollinger; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 17384) granting a pension to Julia Casey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17385) granting a pension to Jessie Rowland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17386) granting an increase of pension to Robert Harper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17387) granting an increase of pension to George Claxton; to the Committee on Invalid Pensions.

By Mr. GARDNER: A bill (H. R. 17388) granting a pension to Michael W. Murphy; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 17389) granting an increase of pension to Mrs. Margaret E. B. Thompson; to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: A bill (H. R. 17390) granting an increase of pension to Julia P. Miller; to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 17391) granting an increase of pension to Henry O. Ayers; to the Committee on Pensions.

By Mr. STINESS: A bill (H. R. 17392) granting an increase of pension to Charles G. Hendrick; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 17393) for the relief of the heirs of David G. Stockwell; to the Committee on War Claims;

Also, a bill (H. R. 17394) granting an increase of pension to Clarke Dodge; to the Committee on Invalid Pensions.

By Mr. WASON: A bill (H. R. 17395) granting an increase of pension to Andy Mullen; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of General Assembly of the Presbyterian Church in the United States of America, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ADAMSON: Petition of sundry citizens of Newnan, Ga., urging support of Tillman bill providing that certain sum of money now held by the United States Government be paid to Confederate veterans; to the Committee on Appropriations.

By Mr. DALE of New York: Petition of National League of Commission Merchants of the United States, relative to Pomerene bill-of-lading bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of T. G. Pownall, relative to drilling of guardsmen in their respective States; to the Committee on Military Affairs.

By Mr. KINKAID: Petition of citizens of Alliance, Box Butte County, Nebr., favoring passage of naval bill as passed by the Senate; to the Committee on Naval Affairs.

SENATE.

THURSDAY, August 10, 1916.

The Senate met at 12 o'clock m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the most sacred interests of millions of Thy creatures are constantly before us. We need the inspiration of Thy spirit that we may discharge well and faithfully the duties that have come to us. We pray that Thou wilt give to us wisdom, prudence, and justice, that our spirits may respond to every call of duty, that we may be glad to enter as coworkers together with God in the great work of leading the world to higher and better things. Guide us this day in the discharge of the sacred duties of this Senate. For Christ's sake. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Saturday, August 5, 1916, when, on request of Mr. CLARKE of Arkansas and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16460) making appropriations for the support of the Army for the fiscal year ending June 30, 1917.

The message also announced that the House had passed the bill (S. 6372) to authorize the counties of Baldwin and Mobile, Ala., their successors and assigns, to construct, maintain, and operate a bridge across Spanish River at or near the junction of Raft and Spanish Rivers, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 19) relating to bills of lading in interstate and foreign commerce, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16914. An act permitting the Needles & Oatman Bridge Co. to construct, maintain, and operate a bridge across the Colorado River between the States of California and Arizona; and

H. R. 16995. An act granting the consent of Congress to A. N. Alford to construct a bridge across the Savannah River.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1159. An act authorizing the Secretary of War to grant the use of the Coos Head Military Reservation, in the State of Oregon, to the cities of Marshfield and North Bend, Oreg., both being municipal corporations, for park purposes;

S. 6308. An act to authorize the Secretary of the Interior to lease, for production of oil and gas, ceded lands of the Shoshone or Wind River Indian Reservation, in the State of Wyoming;

H. R. 20. An act authorizing the county of Gunnison, Colo., to purchase certain public lands for public-park purposes;

H. R. 1777. An act for the relief of Frank J. Deutsch;

H. R. 2052. An act for the relief of the estate of William D. Allen;

H. R. 2555. An act for the relief of the Minnesota & Ontario Power Co.;

H. R. 5453. An act for the relief of the State Board of Harbor Commissioners of the State of California;

H. R. 6180. An act for the relief of Lillie B. Randell;

H. R. 6758. An act for the relief of the legal heirs of Hector M. McDonald, deceased;

H. R. 7062. An act for the relief of Erskine R. Hayes;

H. R. 7396. An act for the relief of Hiram P. Geaslin;

H. R. 7419. An act granting a patent to a certain strip of land to Elisha A. Crandall;

H. R. 8141. An act for the relief of the dependent widow of Patrick Curran, civilian employee of the Government, who was killed while in the discharge of his duties at the United States naval magazine at Iona Island, N. Y.;

H. R. 8200. An act for the relief of Mrs. M. E. Sitters;

H. R. 8630. An act for the relief of the Farmer's State Bank of Eureka, Woodford County, Ill.;

H. R. 9375. An act for the relief of J. M. Potter;

H. R. 10052. An act to reimburse J. T. Nance;
 H. R. 10546. An act for the relief of the Illinois Central Railroad Co., and for other purposes;
 H. R. 10641. An act for the relief of Fred Henderson;
 H. R. 10643. An act for the relief of Theodore Bagge;
 H. R. 11162. An act to amend an act entitled "An act to authorize entry of the public lands by incorporated cities and towns for cemetery and park purposes," approved September 30, 1890, and for other purposes;
 H. R. 11416. An act to repeal an act approved March 2, 1895, entitled "An act to amend section 3 of an act entitled 'An act to regulate the liens of judgments and decrees of the courts of the United States,' approved August 1, 1888."
 H. R. 11984. An act for the relief of William E. Heffner;
 H. R. 12123. An act to appropriate money to build and maintain roads on the Spokane Indian Reservation;
 H. R. 12248. An act for the relief of the estate of Mary H. S. Robertson;
 H. R. 14528. An act for the relief of W. W. Finn;
 H. R. 14868. An act to accept the cession by the State of Oregon of exclusive jurisdiction over the lands embraced within the Crater Lake National Park, and for other purposes;
 H. R. 14952. An act for the relief of Mrs. John A. Fox;
 H. R. 15777. An act to ratify, approve, and confirm an act duly enacted by the Legislature of the Territory of Hawaii, as amended by Congress, relating to the granting of a franchise for the purpose of manufacturing and supplying gas in the district of South Hilo, County of Hawaii, Territory of Hawaii;
 H. R. 15955. An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits; and
 H. R. 16912. An act granting the consent of Congress to Trumbull County, Ohio, to construct a bridge across the Mahoning River in the State of Ohio.

PETITIONS AND MEMORIALS.

Mr. CLARKE of Arkansas. I present certain communications recently received from citizens of Arkansas and elsewhere on the subject of the immigration bill. I ask that they may be printed in the RECORD.

There being no objection, the communications were ordered to lie on the table and to be printed in the RECORD, as follows:

BROTHERHOOD RAILWAY CARMEN OF AMERICA,
 OUACHITA LODGE, No. 88,
 El Dorado, Ark., August 6, 1916.

Senator JAMES P. CLARKE,
 Washington, D. C.

DEAR SIR: I have been instructed by Ouachita Lodge 88, B. R. C. of A., to write you asking to do all you can to have the immigration bill, H. R. 10384, pass the Senate during this session of Congress.
 Thanking you in advance, I am,
 Yours, truly,

R. M. MAUPIN,
 Recording Secretary.

BROTHERHOOD RAILWAY CARMEN OF AMERICA,
 ARGENTA LODGE, No. 423,
 Argenta, Ark., July 24, 1916.

Senator JAMES P. CLARKE,
 Washington, D. C.

DEAR SIR: Am writing you to ask you to support the immigration bill which passed the House of Representatives March 30, 1916. I would consider it a favor if you would use your influence to pass the bill when it comes up before the Senate and would appreciate it if you would let me know if you will support the bill.
 Yours, truly,

A. F. RICE.

UNITED MINE WORKERS OF AMERICA,
 LOCAL UNION No. 2773,
 Clarksville, Ark., July 23, 1916.

Senator JAMES P. CLARKE,
 United States Senate, Washington, D. C.

YOUR HONOR: Our Local 2773, U. M. W. of A., located at Jamestown, Ark., agreed unanimously for the adoption of the Burnett restriction bill of immigration. I am authorized by this local to write to your honor, to urge your influence for the action, to pass this bill at the present session and getting it to become a law.

In the agreeable hope to comply with my request, I am,
 Your humble servant,

HENRY PSCHIERER,
 Recording Secretary.

INTERNATIONAL BROTHERHOOD OF LOCOMOTIVE ENGINEERS,
 Cotter, Ark., July 25, 1916.

Mr. JAMES P. CLARKE,
 Washington, D. C.

DEAR SENATOR: The above organization is appealing to you again for your support in clearance bills (H. R. 16681 and S. 6550), the salary increase for safety inspectors (H. R. 15950; S. 3523), and last, the appointment of Mr. Frank McManamy, as a member of the Inter-

state Commerce Commission, as we feel that a man with Mr. McManamy's experience will be a good addition to the commission. Thanking you for your past favors and support, I am,
 Very truly, yours,

J. E. HARRISON,
 Secretary and Treasurer Division No. 701, B. L. E.

UNITED MINE WORKERS OF AMERICA,
 LOCAL UNION No. 2371,
 Ozark, Ark., July 28, 1916.

Hon. JAMES P. CLARKE,
 Washington, D. C.

DEAR SIR: The immigration bill, now pending before Congress, is of vital importance to labor. Therefore we ask that you use every effort possible to have this bill passed at this session.
 With best wishes, we beg to remain,
 Yours, respectfully,

MACK BROWN,
 W. V. HOGOM,
 T. L. RESIMONT,
 Committee.

UNITED MINE WORKERS OF AMERICA,
 LOCAL UNION No. 1315,
 Fort Smith, Ark., July 29, 1916.

DEAR SIR: I have been instructed by Local Union 1315 to write to you about the immigration bill (H. R. 10384). We received a letter from Sam Gompers, president of American Federation of Labor, advising the local union to take some action on it. Local Union 1315 is in favor of indorsing the immigration bill (H. R. 10384). The membership of local union is 140 members.

Yours, respectfully,
 [SEAL.]

F. G. PRYOR, President,
 TONEY STEIMETZ, Recording Secretary.

LOCAL FEDERATION OF RAILWAY EMPLOYEES,
 MISSOURI PACIFIC SYSTEM,
 Little Rock, Ark., July 31, 1916.

Senator JAMES P. CLARKE,
 Washington, D. C.

DEAR SIR: The Little Rock Local Federation of Railway Trades urgently requests that you vote and use your influence for the passage of the immigration bill (H. R. 10384).
 Thanking you in advance for this favor, I remain,
 Yours, truly,

[SEAL.]

O. B. DAILEY, Secretary.

ALABAMA STATE FEDERATION OF LABOR,
 Birmingham, Ala., July 19, 1916.

Hon. JAMES P. CLARKE,
 United States Senate, Washington, D. C.

DEAR SENATOR: From authentic sources the information comes to us that it will only be a short while before Congress will adjourn, and that there are several very important matters pending that will be overlooked unless some immediate steps are taken to have them enacted into law.

Among the measures pending before your honorable body the one that is most important to all who labor is the Burnett immigration bill. This bill, as you know, passed the House by a very substantial majority some time ago, and the millions of working people of these United States feel that it is only fair and reasonable that you use every influence to have this bill enacted into law before the adjournment and without amendments.

As the official correspondent of the Alabama State Federation of Labor, which is affiliated and a part of the great American Federation of Labor, I urge you as a Member of the United States Senate to use your influence and vote for the Burnett immigration bill.

This bill has been indorsed unanimously by practically every State Federation of Labor in the United States, and at each of their respective conventions they have reaffirmed their position on this measure.

Trusting you will see that this matter is brought up and passed by the Senate before adjournment and that we may receive an early reply from you, we are,

Yours, most respectfully,

J. B. WOOD, Vice President,
 L. BOWEN, Secretary-Treasurer.

ARIZONA STATE FEDERATION OF LABOR,
 Phoenix, Ariz., July 18, 1916.

Hon. JAMES P. CLARKE,
 Senate Office Building, Washington, D. C.

MY DEAR SIR: I am instructed in behalf of the Arizona State Federation of Labor to ask you to use all honorable means to bring about the enactment at this session of Congress of the immigration bill, H. R. 10384.

We understand that the above bill has been passed by the lower House, and it is feared that it may not be acted upon by the Senate at the present session.

Anything that you may be able to do toward bringing action on this bill at the present session will be considered a great favor by the labor movement of this State.

Thanking you, and with best wishes, I beg to remain,
 Very respectfully, yours,

THOS. A. FRENCH,
 Secretary-Treasurer Arizona State Federation of Labor.

ARKANSAS STATE FEDERATION OF LABOR,
 Little Rock, Ark., July 17, 1916.

Senator JAMES P. CLARKE,
 United States Senate, Washington, D. C.

DEAR SENATOR CLARKE: Every now and then our organization has to apply to you for assistance in passing measures we are particularly anxious should become laws. Now it is the Burnett immigration bill, which has passed the House and which we are very anxious to see pass the Senate at this session. We are not so afraid of defeat by vote as we are that it will be carried over as has been done before.

Anything you can do to expedite the passage of this bill during the present session will certainly be appreciated not only by the members of the State federation of labor but by the Farmers State Union as well.

With personal regards, I am,
Sincerely, yours,

L. H. MOORE, *Secretary-Treasurer.*

LOUISIANA STATE FEDERATION OF LABOR,
Shreveport, La., July 16, 1916.

HON. JAMES P. CLARKE,
Washington, D. C.

DEAR SIR: We beg to address you in regard to the Burnett immigration bill now in the Senate.

We earnestly request you to use your influence to have same voted on at this session of Congress; also your vote and influence to have same passed by the Senate.

Trusting that you may see yourself clear and justified in granting us this request, we beg to remain,
Yours, most sincerely,

LOUISIANA STATE FEDERATION OF LABOR,
T. J. GREER, *President.*
ERNEST H. ZWALLY, *Secretary-Treasurer.*

MAINE STATE FEDERATION OF LABOR,
OFFICE OF SECRETARY,
Pejepscot, Me., July 18, 1916.

HON. JAMES P. CLARKE,
United States Senator from Arkansas,
Washington, D. C.

MY DEAR SENATOR: I am writing you at this time calling your attention to the immigration bill and urging you to give it your earnest consideration, with the end in view toward using your influence in seeing that action is taken on this bill by the Senate before the coming adjournment of Congress.

We believe that this bill should be passed by the Senate as it comes from the House, and we sincerely trust that you will see that it is immediately enacted as the law of our land.

We believe that restrictions should be passed in regard to immigration and are in favor of the immigration bill as it passed the House, and we hope the Senators will see the urgent necessity of action being taken upon this important bill now. I remain,

Very truly, yours,

H. B. BRAWN,
Secretary Maine State Federation of Labor.

MINNESOTA STATE FEDERATION OF LABOR,
July 26, 1916.

HON. JAMES P. CLARKE,
United States Senate, Washington, D. C.

DEAR SIR: The Minnesota State Federation of Labor, which comprises upward of 40,000 members in the State of Minnesota, are vitally interested in the immigration bill, H. R. 10384, which passed the House of Representatives March 30, 1916, and which is now before the Senate for action.

We are beginning to feel that the Senate is not disposed to pass this measure with the same unanimity as did the House of Representatives, but assure you that this bill is of vital interest to the working men and women of State and Nation, and we urge you as Senator that you do everything possible by both voice and vote in its passage at this session.

Trusting that you will hear the appeal of the workers of our country for this much-needed legislation, I am, in behalf of the working men and women of Minnesota,

Respectfully, yours,

GEO. W. LAWSON, *Secretary.*

MISSOURI STATE FEDERATION OF LABOR,
Kansas City, Mo., July 15, 1916.

HON. JAMES P. CLARKE,

MY DEAR SENATOR: The Missouri State Federation of Labor earnestly requests you to do what you can to bring the Burnett immigration-restriction bill to a vote in the Senate before the adjournment of the present session.

Organized labor of the United States is very much interested in seeing this important bill disposed of at this time. Anything you can do in our behalf along this line will be highly appreciated by labor in the State of Missouri.

Yours, respectfully,

JOHN T. SMITH,
Secretary-Treasurer.

NEW JERSEY STATE FEDERATION OF LABOR,
OFFICE OF THE SECRETARY,
Newark, N. J., July 17, 1916.

HON. JAMES P. CLARKE,
United States Senate, Washington, D. C.

HONORABLE SIR: In the name of the New Jersey State Federation of Labor, I am writing you and respectfully request that you use your best efforts to bring the immigration bill, H. R. 10384, now before the United States Senate, to a vote, and to do all in your power to have same become a law. We insist that democracy can not be developed to its highest possible point while we encourage the admission of illiterates who destroy living standards of American labor and who refuse to become a part of our national life.

The literacy test provides that immigrants over 16 years must read at least 30 words in some language or dialect, including Hebrew or Yiddish. Surely this is a fair proposition and should be advocated by every Senator.

In the name of the New Jersey State Federation of Labor, I therefore again urge upon you to do everything in your power to have this bill become a law at this session of Congress.

Hoping that you will comply with our request, and awaiting your reply, I am,

Respectfully, yours,

HENRY F. HILFERS,
Secretary New Jersey State Federation of Labor.

NEW YORK STATE FEDERATION OF LABOR,
Utica, N. Y., July 20, 1916.

HON. JAMES P. CLARKE,
Senate Office Building, Washington, D. C.

DEAR SIR: I am again calling your attention to the importance of the provisions of the Burnett immigration-restriction bill to the workers of this country.

This law is necessary for the protection of the workers of this country against the influx of illiterate labor after the war which is now in progress in European countries.

Opponents of the measure presented no new arguments against this bill. True democracy can not be developed to its highest possible point while we encourage the admission of illiterates who destroy living standards of American labor and refuse to become a part of our national life.

The enactment of this law is demanded by every right of the American workman. The New York State Federation of Labor, representing 800,000 organized workers of the State of New York, where this great influx of labor will be felt, respectfully requests you to work and vote for the passage of this measure.

Respectfully,

EDWARD A. BATES,
Secretary-Treasurer
New York State Federation of Labor.

PENNSYLVANIA STATE FEDERATION OF LABOR,
Harrisburg, Pa., July 14, 1916.

HON. JAMES P. CLARKE,
United States Senate, Washington, D. C.

DEAR SIR: Our organization is deeply interested in the passage of the immigration bill now before the Senate.

In deference to this interest in the bill and by direction of the executive council of the federation, I am writing you to solicit your vote for the side of the affirmative. Organized labor throughout the country feels that this bill should be enacted into law as speedily as possible.

Thanking you for favorable action on our request, I am,
Very truly, yours,

C. F. QUINN, *Secretary.*

INTERNATIONAL BROTHERHOOD OF BOOKBINDERS,
Indianapolis, Ind., July 17, 1916.

HON. JAMES P. CLARKE,
Senate Office Building, Washington, D. C.

DEAR SIR: I am taking the liberty of writing you at this time to urge that you use your influence to have the Burnett immigration-restriction bill passed by this session of the Senate. As you know, the bill has already passed the House, and the membership of the International Brotherhood of Bookbinders will certainly appreciate whatever effort you will make toward the passage of the above-mentioned bill at this session of Congress.

Respectfully, yours,

W. N. REDDICK,
Secretary-Treasurer
International Brotherhood of Bookbinders.

INTERNATIONAL UNION OF THE UNITED BREWERY
WORKMEN OF AMERICA,
Cincinnati, Ohio, August 2, 1916.

HON. JAS. P. CLARKE,
Washington, D. C.

DEAR SIR: On March 30 the House of Representatives passed the Burnett immigration-restriction bill by a vote of 307 to 87, which bill has so far failed to pass the Senate.

Within the last few months every public official, including the President of the United States, has made urgent pleas for true Americanism. The constitution of our international organization provides that an applicant for membership must be in possession of his first citizenship papers, and must qualify as a citizen within the time limit allowed by the naturalization law. This provision in our constitution is rigidly enforced by an examination of membership on the 1st of October each year.

Under our present naturalization law it is very difficult for a fairly well-educated man to become a qualified citizen, and how is this possible if we admit into the United States men who are unable to read or write 30 words in their own language. These men can not be educated to become American citizens in the true sense of the word, and therefore should be restricted from coming into the country to be made the prey of unscrupulous corporations.

We earnestly urge you to insist upon the bill being reported out of committee and help the passage of same during this session of Congress. Thanking you for your assistance in the matter, I remain,

Respectfully, yours,

JOSEPH PROEBSTLE,
International Secretary.

AMALGAMATED MEAT CUTTERS AND BUTCHER
WORKMEN OF NORTH AMERICA,
Syracuse, N. Y., July 17, 1916.

HON. JAMES P. CLARKE,
Senate Office Building, Washington, D. C.

DEAR SIR: Acting under instructions of the international organization of the Amalgamated Meat Cutters and Butcher Workmen of North America, which I have the honor to represent as its secretary-treasurer, and which is composed of 56,000 members located throughout the various States of the Union, we are urgently requesting that you vote for and use your influence in aiding in passing the Burnett immigration bill with the literacy test included.

Our organization feels very deeply the necessity of the enactment of that bill into law, not only as a protection for Americans but for the protection of those who are lured here under false pretenses and are exploited upon their arrival, owing to their lack of education.

Hoping you will see your way clear to comply with the request of our organization, and with best wishes, we are,

Fraternally, yours,

HENRY D. CALL,
Secretary-Treasurer.

CIGAR MAKERS' INTERNATIONAL UNION OF AMERICA,
Chicago, Ill., July 18, 1916.

HON. JAMES P. CLARKE,
Senate Office Building, Washington, D. C.

DEAR SIR: In behalf of the Cigar Makers' International Union, representing over 50,000 people, I earnestly request you to support and vote for the immigration bill at this session of the Congress.

Respectfully, yours,

G. W. PERKINS,
International President.

INTERNATIONAL BROTHERHOOD OF STATIONARY FIREMEN,
Omaha, Neb., July 15, 1916.

HON. JAMES P. CLARKE,
United States Senate, Washington, D. C.

MY DEAR SIR: I am writing you on behalf of our international organization, which has local unions in nearly every city in the United States, to ask you to support the Burnett immigration bill when it comes before the Senate. I also kindly ask that you use your influence to have it passed at an early date.

Thanking you in advance for the favor we are asking of you to support this bill, we remain,

Very truly, yours,

C. L. SHAMP,
International Secretary-Treasurer.

THE GRANITE CUTTERS' INTERNATIONAL
ASSOCIATION OF AMERICA,
Quincy, Mass., July 18, 1916.

HON. JAMES P. CLARKE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: We are very much interested in the passage of the immigration bill at the present session of Congress. We are as much interested in the immediate passage of the bill as we are in favor of the retention therein of the literacy test. The bill without this provision would be shorn of its real value, and we are glad to know that a large majority in the Senate stands with us in favor of this qualification in the bill, as well as of the bill itself; but what we are writing about at the present time is to ask your influence and assistance in a concerted effort to bring up and pass the bill at the present session of Congress.

A rumor, perhaps unjustified, is in circulation that there are Senators, both Democrats and Republicans, who are opposed to the consideration of the bill at the present time, and which idea looks to us to be very unfair. There is nothing so dilatory as a pledge of legislation after election.

With other citizens of our great country, we have waited long for an approved immigration act, and we believe that the present bill will measure up to that requirement. We therefore at this time and in this way insist, in as far as interested citizens can insist, that the bill be called up and passed before the present session adjourns.

We hope you are with us in this worthy purpose, and it will be gratifying, indeed, to know from you, either by reply or by your action in the Senate, that you have listened to our earnest appeal for the passage of such a needy and important piece of constructive legislation.

Yours, respectfully,

JAMES DUNCAN,
International President.

INTERNATIONAL HOD CARRIERS' BUILDING AND
COMMON LABORERS' UNION OF AMERICA,
Albany, N. Y., July 18, 1916.

HON. JAMES P. CLARKE,
Senator, Senate Office Building, Washington, D. C.

HONORABLE SIR: In the name of the majority of the members of this union, which counts more than 50,000 members, I kindly beg you to vote favorably for the so-called immigration bill. Furthermore, we would appreciate it if you would use your influence to see that the bill is acted upon in this session of Congress.

Hoping that your honor will consider this request favorably, I remain, Respectfully, yours,

A. PERSION,
General Secretary-Treasurer International
Hod Carriers' Building and Common Laborers' Union of America.

AMALGAMATED LITHOGRAPHERS OF AMERICA,
New York, July 26, 1916.

TO THE HON. JAMES P. CLARKE.

DEAR SIR: The American Federation of Labor in convention assembled has indorsed the Burnett immigration bill with the literacy test included.

This organization, as a component part of the American Federation of Labor, concurs in this indorsement and earnestly requests that you use your best endeavors to have this bill passed at the present session of Congress in the same form that it was passed by the House of Representatives.

Trusting that this appeal meets with your approval and that you will see your way clear to assist in the passage of this measure, we are, Respectfully, yours,

AMALGAMATED LITHOGRAPHERS OF AMERICA,
JAMES M. O'CONNOR, Secretary-Treasurer.

UNITED MINE WORKERS OF AMERICA,
Indianapolis, Ind., July 19, 1916.

HON. JAMES P. CLARKE,
Washington, D. C.

DEAR SIR: In behalf of the United Mine Workers of America, labor organization numbering approximately 500,000 men, I am addressing you in the interest of the Burnett immigration bill, which is now pending in the Congress of the United States.

We regard this bill of especial importance and very much desire that it be passed at this session of Congress. The members of our organization will appreciate it very much if you will not only give this bill your full support when it is up for final passage, but if you will also interest yourself in pushing it for final passage before the Congress adjourns.

May we count on your valuable support in pushing the bill forward and also when it is up for final passage?

Very respectfully, yours,

WM. GREEN,
International Secretary-Treasurer.

INTERNATIONAL ASSOCIATION OF MACHINISTS,
Washington, D. C., August 1, 1916.

THE HON. JAMES P. CLARKE,
United States Senate, Washington, D. C.

SIR: As the official representative of more than 115,000 organized skilled machinists, toolmakers, and specialists of our country, I take the liberty of writing you requesting you give favorable consideration to the immigration bill now pending in the United States Senate.

We urgently request that this meritorious measure be passed at this session of Congress.

We believe that no more important legislation is before you than the legislation above referred to, and inasmuch as it has passed the House by such an overwhelming vote, and the legislation is sought by the great mass of people who desire to maintain an American standard of living, I respectfully urge upon you to use your voice and vote in an effort to have this legislation enacted into law at the present session of Congress.

I beg to remain yours, most respectfully,

WM. H. JOHNSTON,
International President.

INTERNATIONAL LONGSHOREMEN'S ASSOCIATION,
Buffalo, N. Y., July 20, 1916.

HON. JAMES P. CLARKE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: As secretary of the International Longshoremen's Association, I am writing to ask that you vote favorably upon the Burnett immigration bill now pending in the Senate. Not only does this legislation mean a great deal to the multitude of the American workers and their families but to all employers and the general public as well, for the reason that if the literacy test were a law it would result in a higher type of immigrants coming into this country.

Sincerely trusting, therefore, that we may see your name recorded as favoring this bill, I remain,

Sincerely, yours,

JOHN J. JOYCE,
Secretary International Longshoremen's Association.

PIANO, ORGAN, AND MUSICAL INSTRUMENT WORKERS'
INTERNATIONAL UNION OF AMERICA,
Chicago, Ill., July 17, 1916.

HON. JAMES P. CLARKE,
Senate Chamber, Washington, D. C.

MY DEAR SENATOR: On behalf of the undersigned organization, I earnestly request that you use your influence, voice, and vote in furthering the passage of the immigration bill, recently passed by the House of Representatives and now pending in the United States Senate.

Our organization has suffered more bitterly from the present indiscriminate mass immigration than any other. Unless relief is had the calling to which the members have devoted the better parts of their lives will not render them a livelihood such as every American citizen is entitled to.

It may be interesting to learn that of the 90 per cent American, German, and Irish employees of the musical-instrument industry of 10 or 15 years ago hardly 10 per cent are left. Their places have been taken by Huns, Slavs, Italians, Greeks, etc., the majority of whom are illiterate and absolutely subservient.

The present conditions of our trade, as far as the employee is concerned, are frightful. We therefore appeal to you to help keep the wolf from the home of our members, to permit us to enjoy life, liberty, and the pursuit of happiness. Help pass the immigration bill and you will forever endear yourself to the employees, their wives, and little ones of the musical-instrument industry.

Thanking you in advance for any courtesy you may extend, we remain,

Respectfully, yours,

PIANO, ORGAN, AND MUSICAL INSTRUMENT WORKERS'
INTERNATIONAL UNION OF AMERICA,
CHAS. DOLD, International President.

PUBLIC OWNERSHIP LEAGUE OF COOK COUNTY,
Chicago, July 19, 1916.

HON. JAMES P. CLARKE, Senator,
Senate Chamber, Washington, D. C.

DEAR SENATOR: As per instruction of the undersigned organization I am writing you earnestly requesting that you do your utmost in furthering the passage of the immigration bill, recently passed by the House of Representatives and now pending in the Senate.

Our organization numbers some hundred thousand members. It is specifically organized to protect the interests of the wageworker. We are a unit on the proposition of immigration. We believe that unless some relief is had from present indiscriminate immigration, such as provided for in the bill referred to, untold injury will accrue to the employees of our industries.

Hoping you may see your way clear to comply with this request, we remain,

Very respectfully, yours,

PUBLIC OWNERSHIP LEAGUE OF COOK COUNTY,
CHAS. DOLD, Secretary-Treasurer.

BROTHERHOOD OF PAINTERS, DECORATORS,
AND PAPER HANGERS OF AMERICA,
La Fayette, Ind., July 17, 1916.

HON. JAMES P. CLARKE,
Senate Building, Washington, D. C.

DEAR SIR: The 85,000 members of the Brotherhood of Painters, Decorators, and Paper Hangers of America, in common with the 3,000,000 of their fellow workers represented in the American Federation of Labor and the railroad brotherhoods, are intensely interested in the passage of the Burnett immigration bill at this session of Congress. Organized labor also speaks for the several million unorganized workers who have no other means of expressing their wishes.

May we urge you to work and to vote for the enactment of this bill into law?

Respectfully, yours,

J. C. SKEMP,
General Secretary-Treasurer.

RAILWAY EMPLOYEES DEPARTMENT,
OFFICE OF SECRETARY-TREASURER,
St. Louis, Mo., July 17, 1916.

HON. JAMES P. CLARKE,
Senate Office Building, Washington, D. C.

Subject: Burnett immigration-restriction bill.

DEAR SIR: We, the undersigned, officers of the railway employees department of the American Federation of Labor, representing 350,000 railway shopmen, and in conformity with the recommendation of the third biennial convention of the Railway Employees Department held

In Kansas City April, 1916, appeal to you in the interest of the American workmen to render your full support toward the passage of the Burnett immigration bill as a safeguard against the invasion of our country by the pauper labor from Europe and in order to maintain the standard of living of American citizens.

Hoping that we can be assured of your full support to the passage of this bill during the present session of Congress, and thanking you in advance in behalf of organized labor,

Yours, very truly,

RAILWAY EMPLOYEES DEPARTMENT,
A. O. WHARTON, *President*.
JOHN SCOTT, *Secretary-Treasurer*.

AMALGAMATED ASSOCIATION OF STREET AND ELECTRIC
RAILWAY EMPLOYEES OF AMERICA,
Detroit, Mich., July 20, 1916.

HON. JAMES P. CLARKE,
Senate Office Building, Washington, D. C.

DEAR SIR: As you are aware, the United States Congress passed the Burnett immigration-restriction bill by a vote of 307 to 87. Now, as this is a measure vitally concerning the interests of the citizens of the United States, I have been instructed by our association to urge you to vote in favor of this measure before the adjournment of the present session of the United States Senate; for if some restriction is not placed upon immigration our splendid country will be flooded with an illiterate class and a great many of those in foreign countries who are inclined to promote disturbance will be admitted to our shores, and we will be continually confronted with an unsettled industrial condition which will be detrimental to the best interests of all our citizens. Trusting you can see your way clear to vote for this measure, I beg to remain.

Yours, respectfully,

REZIN ORR,
International Treasurer.

UNITED TEXTILE WORKERS OF AMERICA,
Washington, D. C., July 26, 1916.

HON. JAMES P. CLARKE,
United States Senator, Arkansas.

DEAR SIR: At the annual convention of our international union recently held in New York City, a resolution indorsing the Burnett immigration-restriction bill was unanimously adopted.

I was instructed by the members of our executive council to write you urging you to use your best efforts to bring about the passage of this immigration bill at this present session of Congress.

Trusting you can see your way clear to comply with the above request, in order that this immigration bill, which is so earnestly desired by the large mass of the wage workers of the country, will soon become a law, I beg to remain,

Respectfully, yours,

JOHN GOLDEN,
General President United Textile Workers of America.

INTERNATIONAL TYPOGRAPHICAL UNION,
OFFICE OF SECRETARY-TREASURER,
Indianapolis, Ind., July 31, 1916.

HON. JAMES P. CLARKE,
United States Senate, Washington, D. C.

DEAR SIR: Members of the International Typographical Union, 65,000 in number, are interested in the passage of the Burnett immigration bill now before the United States Senate during the present session. They desire it passed in the shape in which it is passed by the House of Representatives, with the literacy test intact.

Trusting you will use your influence to this end, I am,

Very truly, yours,

J. W. HAYS,
Secretary-Treasurer International Typographical Union.

WOOD, WIRE, AND METAL LATHERS'
INTERNATIONAL UNION,
Cleveland, Ohio, July 22, 1916.

Mr. JAMES P. CLARKE,
Washington, D. C.

DEAR SIR: We are informed that there seems to be some tendency in the United States Senate to withhold action at this session on the Burnett immigration bill, which was passed by the lower House at this session by a vote of 307 to 87. Action which has been taken in this and previous Congresses must be strong proof of the fact that there is an overwhelming sentiment in this country in favor of putting restrictions upon the right of immigration, and except for the liberal use of, if not the abuse of, the veto power such a law would long ago have been upon our statute books. Developments since the European war has started have undoubtedly accentuated the sentiment in favor of restriction.

Our people are intensely interested in this question. With us it is not a question of theory. Every day we are up against the actual results of what it means to have an unlimited flood of immigration coming here all the time.

The change in conditions because of the war which resulted in hundreds of thousands of foreigners going back home and the consequent reduction of immigration has produced concrete evidence of the improvement in the average man's affairs in this country to such an extent that the demand for restriction is considerably stronger, even in the labor movement, than before the war, and we sincerely trust that the rumors that there is intention not to push the Burnett bill at this session in the Senate are wrong, but that, on the contrary, this bill will be acted upon, so that before the war closes this proposal will be a law for whatever good it can do before the tide of immigration starts this way again.

Yours, respectfully,

RALPH V. BRANDT.

Mr. GRONNA. I present a resolution adopted by the Commercial Club of the city of Larimore, N. Dak., which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolutions adopted by the Larimore Commercial Club, Aug. 4, 1916.

Whereas the threatened strike of railway trainmen is a very serious menace to the prosperity of all classes of people in this Nation, and, if carried into effect, will inevitably paralyze industry and produce untold suffering and immeasurable financial loss; and

Whereas the question of this strike is not a thing that concerns the railroads and their employees alone, but every individual in this Nation is directly concerned: Therefore be it

Resolved, That the Larimore Commercial Club request our Senators and Representatives in Congress that they introduce, or cause to be introduced, and give their most earnest support to an act or resolution compelling the parties to the dispute to submit their differences to the Interstate Commerce Commission for adjustment and, under severe penalty, to accept the findings of said commission: And be it further

Resolved, That an urgent emergency exists, that said act or resolution be given right of way over other legislation and be hurried through Congress as rapidly as circumstances will permit.

O. H. PHILLIP, *President*.
J. DEXTER PEIRCE, *Secretary*.

Mr. WEEKS presented a memorial of the American Society of Landscape Architects, remonstrating against the erection of a power plant on the banks of the Potomac River, in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. PHELAN presented a memorial of sundry citizens of San Francisco, Cal., remonstrating against the enactment of legislation to limit the freedom of the press, which was referred to the Committee on Post Offices and Post Roads.

Mr. O'GORMAN. I have received several communications relating to the proposed extension of the open season for killing wild fowl in certain States, which I ask may be printed in the RECORD.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

30 CHURCH STREET,
New York, August 7, 1916.

HON. JAMES A. O'GORMAN,
United States Senate, Washington, D. C.

DEAR SIR: I understand that the latest proposed regulations of the Biological Survey at Washington plan to establish an open season on wild fowl for the gunners of Illinois, Iowa, Nebraska, Kansas, and Missouri between February 9 and March 11, in addition to the fall open season.

This is spring shooting in mating time, which I believe you will agree with me is a crime against nature, against sport, and against the spirit of conservation, and if carried out must ultimately end in wiping out the birds, as these States are a valuable breeding ground for our depleted flocks of wild ducks and other water fowl, which are increasing in number under the beneficent Federal law.

I therefore desire to enter my earnest protest against such a measure and trust whatever influence you have in the matter will be used against same.

Yours, very truly,

CHAS. C. CLUFF.

NEW YORK, August 3, 1916.

Senator JAMES A. O'GORMAN.

DEAR SIR: The inclosed is a copy of a letter I have written the Secretary of Agriculture. It is sent that you may know and be willing to see recorded my vigorous protest against this extension of the open season for wild fowl.

Yours, respectfully,

GLEN WRIGHT.

NEW YORK, August 3, 1916.

HON. D. F. HOUSTON,
Secretary of Agriculture, Washington, D. C.

DEAR SIR: There are no reasons for the extension of the open season on wild fowl in Illinois, Iowa, Nebraska, Kansas, and Missouri, from February 9 to March 11, except two—for food and for sport.

As far as food is concerned, we are past the savage stage when the sustenance of our bodies is obtained by killing wild animals. We get our meat food by the propagation of domestic animals and fowls. There is no other way in our country, with its vast growth in population.

As for desiring to kill these fowl during the mating season, there is no sportsmanship in it. A true sportsman saves, and does not kill, the goose that lays the golden egg.

There is not even need to mention the advantage in the propagation of wild fowl. Every word in nature and science is fraught with its advantages. Those trying to add this open season are small comparatively in numbers and, in my judgment, thoroughly unpatriotic in wishing to impose their will against a tremendous majority. I respectfully say that it must not be. I enter my most vigorous protest, and ask that you give ear to my protest and my solicitation.

Respectfully,

GLEN WRIGHT.

REGULATION OF IMMIGRATION.

Mr. ASHURST. Mr. President, I have received a large number of petitions, letters, and telegrams urging a vote on the immigration bill. I will not ask to have them included in the RECORD because of their great volume. They are all in favor of regulation of immigration.

I have observed a tendency on the part of the Senate on both sides to bring about some kind of an agreement whereby a final adjournment can be had.

If we postpone a vote on the immigration bill, the people of the United States will believe that, through expediency and shifting, we have dodged a vote on that bill. The Democratic Party is not cowardly; it is bold and courageous.

Therefore, before any agreement looking to final adjournment is had, if no other Senator does, I shall move to proceed to the consideration of the immigration bill.

Mr. MYERS. Mr. President, with reference to what the Senator from Arizona [Mr. ASHURST] has just said I desire to state that I am in accord with him, and I am strongly opposed to final adjournment until we shall have had a vote on the immigration bill.

REPORTS OF COMMITTEES.

Mr. STERLING, from the Committee on Public Lands, to which was referred the bill (H. R. 12889) authorizing the Secretary of the Interior to sell the unsold and unappropriated portion of lands within the town site of Newell, S. Dak., and for other purposes, reported it without amendment and submitted a report (No. 771) thereon.

Mr. CLARKE of Arkansas, from the Committee on Commerce, to which was referred the bill (H. R. 8816) authorizing the Commissioner of Navigation to cause the sailing vessel *Golden Gate* to be registered as a vessel of the United States, reported it without amendment.

Mr. MYERS. For the Committee on Public Lands I report an amendment intended to be proposed to the bill (H. R. 407) to provide for stock-raising homesteads, and for other purposes, which I ask may lie on the table and be printed.

The VICE PRESIDENT. The amendment will lie on the table and be printed.

OLD FORT MIFFLIN RESERVATION.

Mr. CHAMBERLAIN. From the Committee on Military Affairs I report back favorably with amendments the bill (H. R. 13984) granting to the city of Philadelphia, in the State of Pennsylvania, a right of way through the United States military reservation at Fort Mifflin, Pa., and I submit a report (No. 772) thereon.

Mr. PENROSE. I ask unanimous consent to have that bill considered. It is a short bill and there can be no objection to it. It proposes to run a street through the old Fort Mifflin Military Reservation near Philadelphia.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 2, line 8, after the words "Secretary of War," to insert the words "and the Secretary of the Navy"; in line 9, before the word "supervision," to strike out "his" and insert "their"; in line 17, after the word "maintain," to insert the words "and to operate"; and in line 18, after the words "Secretary of War," to insert the words "or the Secretary of the Navy," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to grant to the city of Philadelphia, in the State of Pennsylvania, an easement of a right of way for municipal purposes over a strip of land 100 feet wide, extending from Back Channel to the Delaware River, through and over the United States military reservation located in the said city of Philadelphia, county of Philadelphia, State of Pennsylvania, and known as the Fort Mifflin (Pa.) Military Reservation; the said city of Philadelphia to have a right of way over said strip of land, and as well authority to construct a paved roadway and an industrial railway thereon for the use of the sewage treatment works of the said city of Philadelphia, and as well to construct upon the end of said right of way at the Delaware River a wharf or pier, and as well to construct and maintain under said right of way conduits from the said sewage treatment works to the Delaware River. *Provided,* That the exact location of the said right of way and wharf shall be fixed by the Secretary of War and the Secretary of the Navy; that the construction thereof shall be under their supervision; and that the city of Philadelphia shall remove the old earth battery and level the entire portion of the reservation west of the old fort: *Provided further,* That no title or property right whatever to said strip of land or interest therein, by reason of said conveyance, is to pass to the city of Philadelphia, excepting the right of use as above set forth; that the use by the city of Philadelphia of the said strip of land for any other purpose than herein set forth or the failure to maintain and to operate as directed by the Secretary of War or the Secretary of the Navy shall work a forfeiture of the above-recited right; that the said right of easement of the city of Philadelphia may be declared terminated and ended by the Secretary of War of the United States at any time and he may thereupon resume complete possession of such strip of land and all right hereunder shall cease and determine: *And provided further,* That the right is reserved to the United States to occupy the said right of way for military or other governmental purposes.

SEC. 2. That the right to alter, amend, or repeal this act is hereby reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

DISTRICT PUBLIC UTILITIES COMMISSION.

Mr. MARTIN of Virginia. From the Committee on the District of Columbia I report back favorably without amendment

the bill (H. R. 12712) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," and I submit a report (No. 773) thereon. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 8, paragraph 1, of an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes," approved March 4, 1913, relating to the Public Utilities Commission of the District of Columbia (37 Stat. L., 975) be amended by adding to the names of the companies excluded from the operation of said section, after the words "steam railroads," in the third subdivision of the last paragraph on page 975, the following: "express companies subject to the jurisdiction of the Interstate Commerce Commission."

Mr. MARTIN of Virginia. I will state that this is a House bill, and it exempts the express companies, subject to the jurisdiction of the Interstate Commerce Commission, from the jurisdiction of the purely local Utilities Commission of the District of Columbia. A similar bill originating in the Senate is now on the calendar of the other House.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRANSFER OF RIGHTS OF EASEMENT.

Mr. REED. I ask unanimous consent to call up the bill (H. R. 9856) granting to the St. Louis, Iron Mountain & Southern Railway Co., and to the Anheuser-Busch Brewing Association, and to the Manufacturers' Railway Co. permission to transfer certain rights of easement for railway purposes heretofore granted by the United States to the St. Louis & Iron Mountain Railroad Co. and to the Anheuser-Busch Brewing Association, respectively. It is purely a local bill.

Mr. SMOOT. I am not going to object to the consideration of this bill on the calendar, but I give notice that I shall object to any other bill on the calendar.

Mr. MYERS. I hope the Senator from Utah will not say that at this time. I have a bill here in behalf of the militia on the border which was passed on Saturday and then reconsidered. I want to offer it again. The defect in it has been overcome. I will make that request, and I think when the Senator from Utah hears the request he will not object.

Mr. SMOOT. Did I understand the Senator to say that the bill is on the calendar?

Mr. MYERS. It is not.

Mr. SMOOT. If it were on the calendar I should object.

Mr. MYERS. I am going to make my request when I get a chance, and let the Senator from Utah object if he will.

The VICE PRESIDENT. Is there objection to the bill called up by the Senator from Missouri [Mr. REED]?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

HOMESTEADS OF SOLDIERS.

Mr. MYERS. Unfortunately, I am the last of those asking for unanimous consent. On Saturday the Senate passed a Senate joint resolution which had been recommended by the Senate Committee on Public Lands. The purpose of it was to provide that homesteaders who are serving with the militia down on the Mexican border shall not lose their time while they are serving with the troops, but that it may be counted in their favor when they come to final proof. Through the action of the Senator from Connecticut [Mr. BRANDEGEE] a technical defect was discovered in the act which was passed, and the vote was unanimously reconsidered.

Mr. SMOOT. I will say that I understand that the joint resolution is not on the calendar, and, as far as I am concerned, I shall not object to its present consideration for the reason that the joint resolution passed the Senate once, and I am heartily in favor of it, and I think everyone in the Senate is.

Mr. SMITH of Georgia. In the absence of the Senator I moved to reconsider the favorable passage by the Senate of the joint resolution, and we practically agreed at the time that we would give it preference and make no objection to it when it was corrected.

Mr. MYERS. An identical joint resolution with the same omission passed the House and came here and has been considered by the Senate Committee on Public Lands and the defect

remedied. I now report back with an amendment the joint resolution (H. J. Res. 247) extending the provisions of the act approved June 16, 1898, and I submit a report (No. 774) thereon. I ask for the immediate consideration and passage of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. BRANDEGEE. Let me ask the Senator a question. The joint resolution is amended now and the chapter of the act is specified.

Mr. MYERS. The amendment names the chapter.

Mr. BRANDEGEE. That is all that was necessary.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 1, line 4, after the words "ninety-eight," the committee proposes to insert "chapter 458," so as to make the joint resolution read:

Resolved, etc., That the provisions of the act approved June 16, 1898, chapter 458 (30 Stats., 473), shall be applicable in all cases of military service rendered in connection with operations in Mexico, or along the borders thereof, or in mobilization camps elsewhere, whether such service be in the military or naval organization of the United States or the National Guard of the several States now or hereafter in the service of the United States.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

UNLAWFUL RESTRAINTS AND MONOPOLIES.

Mr. OVERMAN. From the Committee on the Judiciary I report back favorably with an amendment the joint resolution (S. J. Res. 129) extending until October 15, 1918, the effective date of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, and I ask unanimous consent for its consideration.

Mr. SMOOT. I should like to have the Senator from North Carolina explain what the joint resolution is.

Mr. OVERMAN. I will say that this is a resolution extending the time over the next Congress, to April 1, 1917, the tenth section of the Clayton Act, in regard to competitive bidding. The subcommittee of the Committee on the Judiciary had a hearing. The full committee, after considering the resolution, reported the same with amendment limiting the time to April 1, 1917, instead of October 1, 1918, as the original resolution provided. It may be that that section needs to be extended. The representatives of the railroads came before us and said they feared it had a tendency to break up some of the great railroad systems of the country. I could go into it and explain it, but the committee went into it thoroughly. The railroads wanted an extension until October, 1918. The committee concluded that we would give them a six months' extension, so that when the December session comes, if we see that they are going to be injured we could make the needed amendments if we should find it should be amended. We did not have time to discuss it and study it as it probably should be, and since the Newlands resolution has passed, for the study of the question, we thought that the committee of the Senator from Nevada [Mr. NEWLANDS] might look into this very question and see whether that section needed any amendment. The representatives of the railroads feared that it would absolutely ruin them if it should go into effect in October without amendment, and we concluded to give them a six months' extension so that we could look into it at the December session. The law goes into effect the 1st of October, and it might be injurious. So the committee proposed to give them a six months' extension only, and it will work injury to nobody, and we thought it was for the best interests under all the facts and circumstances presented to the committee.

Mr. SMOOT. Is it a unanimous report from the committee?

Mr. OVERMAN. It is a unanimous report of the committee.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There was no objection.

The joint resolution was considered as in Committee of the Whole.

The amendments were, in line 8, to strike out the word "October" and insert "April," and, in line 9, to strike out the numerals "1918" and insert "1917," so as to make the joint resolution read:

Resolved, etc., That the effective date on and after which the provisions of section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, shall become and be effective is hereby deferred and extended to April 15, 1917.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution extending until April 15, 1917, the effective date of section 10 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914."

BUREAU OF LABOR SAFETY.

Mr. SMITH of Georgia. Mr. President, when we were having the call of the calendar on the last calendar day, on my motion the bill (H. R. 153) to create a bureau of labor safety in the Department of Labor was recommitted to the Committee on Education and Labor, I having called attention from the floor of the Senate to several modifications in the bill restricting its effect. It is quite difficult, there being several members of the committee out of the city at present, to hold a meeting of the committee, and those members with whom I have conferred approved my course in moving to reconsider the recommitment. I have presented to the Senate and had printed the substitute as it was outlined on the floor of the Senate by me when the bill was before the Senate. It is a bill providing for the consideration in the Department of Labor of certain safety devices.

I move to reconsider the action of the Senate in recommitting the bill to the Committee on Education and Labor that it may take its place on the calendar. I have tendered the substitute and it is printed and is now in a shape where I think we can dispose of it when we reach it in the Senate without any further consideration by the committee.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 6811) to authorize the seizure, detention, and condemnation of arms and munitions of war in course of exportation or designed to be exported or used in violation of the laws of the United States, together with the vessels or vehicles in which the same are contained;

A bill (S. 6812) to regulate and restrain the conduct and movements of interned soldiers and sailors of belligerent nations, and for other purposes;

A bill (S. 6813) to prohibit and punish the willful making of untrue statements under oath to influence the acts or conduct of a foreign Government, or to defeat any measure of the Government of the United States in a dispute or controversy with any foreign nation;

A bill (S. 6814) to prohibit and punish the manufacture or counterfeiting of coin or paper intended to be used or passed as money, or of securities issued or intended to be issued by an unrecognized Government, faction, or body of insurgents in a country with which the United States are at peace;

A bill (S. 6815) to prevent and punish conspiracy to injure or destroy property situated within and belonging to a foreign Government with which the United States are at peace, or of any subdivision or municipality thereof;

A bill (S. 6816) to prevent and punish the impersonation of officials of foreign Governments duly accredited to the Government of the United States;

A bill (S. 6817) to restrict aliens, other than diplomatic or consular officers or attachés, from acting in the United States as the agent of a foreign Government without prior notification to and consent of the Government of the United States;

A bill (S. 6818) to authorize the President to employ the land and naval forces of the United States to enforce compliance with its obligations relating to neutrality; and

A bill (S. 6819) to provide for the issuance of search warrants and the seizure and detention of property thereunder, and for other purposes; to the Committee on the Judiciary.

By Mr. PENROSE:

A bill (S. 6820) to provide for the acquisition of additional land adjoining the present post-office site at Gettysburg, Pa.; to the Committee on Public Buildings and Grounds.

A bill (S. 6821) granting an increase of pension to Sylvester Bonaffon, jr.; to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 6822) to authorize the President to appoint Clarence H. Knight a captain in the line of the Army; to the Committee on Military Affairs.

By Mr. SHEPPARD:

A bill (S. 6823) authorizing the Secretary of the Interior to make further survey of the Pecos River and Valley, in Texas and

New Mexico, to determine the feasibility and cost of an irrigation project thereon; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. HARDWICK:

A bill (S. 6824) for the relief of the estate of Sybil A. Penniman; to the Committee on Claims.

By Mr. RANSEDELL:

A bill (S. 6825) to amend sections 2804 and 3402 of the Revised Statutes; to the Committee on Finance.

By Mr. PHELAN:

A bill (S. 6826) for the relief of Edward F. McDermott, alias James Williams; to the Committee on Military Affairs.

By Mr. BORAH:

A bill (S. 6827) to repeal a portion of the act of April 30, 1908, making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1909; to the Committee on Indian Affairs.

A bill (S. 6828) for the relief of Albert Ostner; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 6829) to provide for the disposition of public lands withdrawn and improved under the provisions of the reclamation laws, and which are no longer needed in connection with said laws; to the Committee on Public Lands.

A bill (S. 6830) granting a pension to Philura Haney Allan; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 6831) granting an increase of pension to Daniel W. Green;

A bill (S. 6832) granting an increase of pension to Thomas Newton Primm; and

A bill (S. 6833) granting an increase of pension to Henry H. Stoubus (with accompanying papers); to the Committee on Pensions.

By Mr. KERN:

A bill (S. 6834) to amend section 217 of the United States Criminal Code; to the Committee on the Judiciary.

By Mr. SHIELDS:

A bill (S. 6835) to provide for the purchase of a site and the erection of a public building at Erwin, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. SMOOT:

A bill (S. 6836) granting a pension to George Moir (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 6837) granting an increase of pension to Narcissa Wion (with accompanying papers); and

A bill (S. 6838) granting an increase of pension to Charles Edgar Mason (with accompanying papers); to the Committee on Pensions.

By Mr. PITTMAN:

A bill (S. 6839) to authorize the incorporated town of Juneau, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes; to the Committee on Territories.

A bill (S. 6840) to authorize the Secretary of the Interior to convey title to certain lands in the State of Nevada; to the Committee on Indian Affairs.

By Mr. O'GORMAN:

A bill (S. 6841) to enlarge the scope and purpose of the post-office building at Syracuse, N. Y. (with accompanying papers); to the Committee on Post Offices and Post Roads.

OMNIBUS PUBLIC BUILDINGS BILL.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (H. R. 17052) to increase the limit of cost of certain public buildings; to authorize the enlargement, extension, remodeling, or improvement of certain public buildings; to authorize the erection and completion of certain public buildings; to authorize the purchase of sites for certain public buildings; to abolish the Office of Supervising Architect of the Treasury and to create and organize in the Treasury Department a bureau of public buildings and define its duties, powers, and jurisdiction; to create and establish the office of Commissioner of Public Buildings; to fix the salary and prescribe the duties and powers of the said Commissioner of Public Buildings; to create a Board of Estimates and prescribe its duties and powers; to provide for the standardization of certain classes of public buildings, and for other purposes, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

THE MERCHANT MARINE.

Mr. FLETCHER submitted an amendment intended to be proposed by him to the bill (H. R. 15455) to establish a United States shipping board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water engaged in the foreign and interstate commerce of the United States, and for other purposes, which was ordered to lie on the table and be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 16914. An act permitting the Needles & Oatman Bridge Co. to construct, maintain, and operate a bridge across the Colorado River between the States of California and Arizona; and

H. R. 16995. An act granting the consent of Congress to A. N. Alford to construct a bridge across the Savannah River.

PENSIONS AND INCREASE OF PENSIONS—CONFERENCE REPORTS.

Mr. HUGHES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15048) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 8, 12, 16, 20, 21, 24, 25, 26, 27, 32, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 5, 6, 7, 9, 10, 11, 13, 14, 15, 17, 18, 19, 22, 23, 28, 31, 33, and 34, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the matter stricken out insert the following:

"The name of Adella I. Cummings, former widow of John A. Cummings, late of Company E, Sixth Regiment New Hampshire Volunteer Infantry, and major, First Regiment New Hampshire Volunteer Cavalry, and pay her a pension at the rate of \$12 per month."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the matter stricken out insert the following:

"The name of Benjamin F. Longenecker, late of Company B, Seventh Regiment; Company D, Fourth Regiment; and Company L, Twelfth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$25 per month."

And the Senate agree to the same.

WM. HUGHES,

REED SMOOT,

Managers on the part of the Senate.

M. E. BURKE,

JOVETT SHOUSE,

JOHN W. LANGLEY,

Managers on the part of the House.

The report was agreed to.

Mr. HUGHES submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15494) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 4, 15, 17, 18, 21, 26, 29, and 32.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 6, 8, 9, 10, 11, 12, 13, 14, 16, 19, 20, 22, 23, 24, 25, 27, 28, 30, 31, and 33, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: Restore the amount stricken out by said amendment and on page 9, line 20 of the bill, strike out the following: "in lieu of that she is now receiving"; and the Senate agree to the same.

WM. HUGHES,
REED SMOOT,
Managers on the part of the Senate.

M. E. BURKE,
JOUETT SHOUSE,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

THE MERCHANT MARINE.

The VICE PRESIDENT. The morning business is closed.

Mr. SIMMONS. I move that the Senate proceed to the consideration of House bill 15455, commonly known as the shipping bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 15455) to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water engaged in the foreign and interstate commerce of the United States; and for other purposes.

THE DANISH TREATY.

Mr. STONE. Mr. President, I do not rise to discuss the bill before the Senate, but I desire to advert briefly to a matter which involves the privilege of the Senate.

On Tuesday last the President transmitted to the Senate a treaty between the United States and Denmark, relating to the Danish West Indies. When that treaty was laid before the Senate in executive session on that day, I hesitated for a moment as to the motion I should make respecting the disposition of the treaty. I had in mind to move that the treaty be referred without printing. I knew, of course, that such a motion would be in contravention of the usual practice of the Senate, and fearful that such a motion might be regarded as being in some way derogatory of the membership of the Senate or of the officials of the Senate, I concluded to make the usual motion that the treaty be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate. That motion was agreed to. The text of the treaty was accordingly referred to the Committee on Foreign Relations, and the usual number of copies was ordered printed for the use of Senators. Twenty-five of those printed copies were delivered to the Committee on Foreign Relations by the executive clerk. That is the usual number delivered in such cases to that committee.

I have this morning inquired of the committee clerk whether any of these 25 printed copies had been delivered to any Senator or to anyone else, and am informed that no one has even called or asked for one, and that the 25 copies are intact in the possession of the committee.

I will add that it is the custom for the executive clerk to deliver 10 copies of the printed treaties to the Secretary of State. That was done in this instance. These 10 copies were transmitted by the executive clerk, under seal, by special messenger, to the State Department. I have just communicated with the Secretary of State to ascertain if these transmitted copies were received; and if so, whether any of them had been given out. He advises me that the copies were duly received; that one copy is held by him for his own use, and that the other nine have been locked in a department vault.

Mr. President, this morning I find in the Washington Post, and also in certain New York newspapers with which the Washington Post is generally supposed to have some kind of alliance, what purports to be the substance of this treaty. This publication purports to give not only the substance of this treaty article by article but to quote literally from the various articles.

When the treaty was sent to the Senate, according to this newspaper report, it was accompanied by a letter of the President. I wish to read from this news report, as it appears in the Washington Post, the following:

This letter—

Speaking of the President's letter—

This letter also states that the Danish Government "has requested that publicity to the terms of the convention be withheld until such time as the two Governments shall agree to promulgate them." The department suggests that the Senate be recommended that in giving

its advice and consent to the ratification of the convention the text of the treaty be not made public until the two Governments shall agree to make it public.

That treaty, according to these newspaper reports, came to the Senate in that way and with these requests from the President and the department which I have read.

Mr. President, I believe it would be a waste of time to express an opinion as to the conduct and the act of a newspaper that would print such a document of international import in the circumstances stated. I know, as you do, how the men who represent the great publications of the country seek the news; we are familiar with the activities they exercise; we know the extremes to which they resort to get the news. I have no special criticism to make of these news gatherers who make their living in that way, so long as they use fairly honorable means; and I think I may well say, and say it with the approval of every Senator, that the correspondents and representatives of the press who are entitled to seats in the Senate gallery are honorable men, and that few, if any, of them ever resort to other than honorable means in the prosecution of their work; furthermore I believe that, as a body, they would not tolerate dishonorable methods in the acquisition of news. In personal intercourse I would trust them as far as I would any other class of men I know. I make no criticism of the correspondents; but that a great newspaper should, to the manifest detriment of the public interest, print a document of the kind in question, no matter how obtained—and which the President had specially asked, for the reasons he stated, might be held in strict confidence—is another and a very different question. It is unnecessary for me to characterize a performance of that kind by a great publication that professes to be and ought to be deeply concerned about the national honor. I need not comment upon that. All Senators and all patriotic Americans must have but one opinion about that.

My chief purpose in speaking at this time, however, is to express the wonderment I have as to how this document was obtained. The executive clerk, Mr. Dawson, in whose integrity I have the highest confidence, advises me that he still has in his possession all the printed copies sent to him from the Printing Office, except those he has given out in an authoritative way. As I have mentioned, Mr. President, there are only three, possibly four, ways that this treaty could have been surreptitiously obtained or given out. First, it might have been done by a Senator, for every Senator is entitled to a copy of this confidential print. It is published for the confidential use of Senators. Secondly, it might have been obtained by some official of the Senate surreptitiously and by him surreptitiously disposed of to a news gatherer; thirdly, it might have been abstracted by some official in the Printing Office and disposed of to a news gatherer; or, fourthly, it might have been surreptitiously given out by some dishonest official of the State Department. In no other way could it have been given out that I can conceive of.

Mr. President, for the moment I wish to speak of the Senate only, and when I have done that I shall close, at least for the present. I think, however, that at the next executive session I shall bring this matter before the Senate and ask the judgment of the Senate as to what course should be taken in the premises.

Mr. President, it is hard for me to believe that a Senator of the United States would give this treaty away as seemingly has been done by somebody. Every Senator had a right to a printed copy; every Senator had a right to go to the executive clerk and ask for one of the printed copies. If any Senator did that and received a copy, he knows it. That is easily ascertainable. Moreover, every Senator who received a copy knows what he did with it. If he exposed it to the public, he did a dishonorable act and ought to be disciplined by the Senate. A man who so disregards and defies the rules of the Senate treats with contempt and scorn the body of which he is a member. I have heard Senators say in open session and in executive session that they did not have the greatest respect for the rules governing executive sessions; but I have never yet heard one of them say that he did not make an exception of treaties where secrecy was manifestly required; and I am speaking now to that one point, and will not diverge from it.

Here is an instance where secrecy manifestly should have been observed. Here is a treaty sent to the Senate, where the foreign contracting power is said to have requested the Government of the United States to keep the treaty secret until final action is had by both Governments with respect to it. Why that request was made I scarcely venture to inquire. None of us think for a moment that any foreign influence would be attempted, or, if attempted, could be made effective in impressing itself upon the action of the Senate of the United States; but I do not know how that might be with respect to other countries.

We do know that a treaty of similar import was negotiated between the United States and Denmark concerning these very possessions some years ago; and it has been currently reported as an open secret that a foreign Government—possibly more than one foreign Government—exerted an influence to prevent the ratification of that treaty.

Mr. OVERMAN. And it failed of ratification.

Mr. STONE. Yes; it did fail. Whether that had to do with the request of the President and the Secretary of State or of the other high contracting party to this treaty that the matter be held in confidence, I do not know; but I do know that when two sovereignties make an agreement like this, and it is desired, especially desired, by one or both of the contracting parties, that the agreement should be treated in confidence until final action is taken, it immediately becomes a question of national fair dealing—therefore of national honor. In that view every Senator, separately, must, at least in the first instance, establish his own individual standard of national honor; but above and beyond him the Senate must establish its own standard.

Mr. President, I shall be very sorry to believe that any Senator has been guilty of such infinite, unspeakable disregard of the decencies and proprieties that should be observed in international intercourse as that here indicated; and, of course, any official of the Senate guilty of such a crime should be instantly discharged. It is hard for me to believe that any Senate official could be guilty of this offense.

This much I wanted to say as expressive of my indignation if, perchance, this moral—aye, this dirty—crime against the Senate and against the decencies of international intercourse has been committed by a Senator or by any official of the Senate. Whether we should go further and take affirmative action I shall, as I have said, probably lay before the Senate at the next executive session; but I have felt that this much, at least, ought to be now said in the open Senate.

Mr. BORAH. Mr. President, I do not rise to take issue with the Senator from Missouri with reference to his views as to the duty of the Members of this body to observe the rules of the Senate so long as they are the rules of the Senate; but those of us who have been here any length of time have witnessed these incidents time and time again, and in reading the history of the Foreign Relations Committee of the Senate and its transactions for the last 50 years we find that these things have recurred about every so often during the entire history of the Senate. We have our rules, which require secrecy upon our part, silence in regard to these matters; but we all know that the silence becomes vocal, and the things become known when they are of sufficient moment for the public to be interested in them. And they become known in a garbled, unsatisfactory, unreliable way.

Mr. STONE. Mr. President, will my friend allow me?

Mr. BORAH. Certainly.

Mr. STONE. The public interested here is not alone the public of the United States, but the public of the world.

Mr. BORAH. I was going to say that the Senator from Missouri is perhaps justified, more particularly as I understand that the foreign power requested that this matter be kept secret until it was disposed of. That would add a further reason to any reason which might be found for secret action with reference to treaties. But I only rose, Mr. President, to point to the moral that this matter of dealing with treaties in executive session is not only wholly fruitless of any result so far as the executive sessions are concerned, but, in my judgment, it has long ago served its purpose, has become a relic of antiquity, and should be dispensed with. That which is made public in an inadequate and questionable way should be hereafter made public in an effective and dignified way.

There is scarcely any treaty which comes before this body which ought not to be considered in the open. There is scarcely any treaty which should not be considered and debated the same as we consider and debate other important measures. Almost all of these treaties are such treaties as the public are concerned to know about before they are made as well as after they are made. These are matters upon which the public are entitled to be advised before it is too late to object.

I am quite satisfied in my own judgment that treaties have been made in the past which it would have been well, it would have been wholesome, if the public had been thoroughly informed about before they were considered as to their contents. It is not sufficient that they be made known after the binding obligation has been entered into. In my humble opinion, our form of government justifies the people in having full knowledge before many of these obligations are entered into. There are exceptions, but they are exceedingly few.

Mr. President, a short time ago we made a treaty with the Republic of Nicaragua. I am not going to discuss it now, al-

though I purpose to do so at some time; but it would have been altogether to the credit and to the dignity and, in my judgment, to the honor of this Government had that treaty and its details been fully known and fully discussed before the public prior to its ratification. In my humble judgment, if the people of the United States had known fully what that treaty contained, the circumstances under which it was made, and the circumstances under which it was to be ratified by Nicaragua, and the only circumstances and conditions under which it could have been ratified by Nicaragua it never would have been made by this Government at all.

What is this treaty, Mr. President? It is a real-estate deal. We are going to pay a very large sum of money. The people who will have to pay may well claim the right to know all about it before the obligation to pay is incurred. It has been known for months and years that such a transaction was possible. The general outlines of it have been known for months, and all except the details have been known to the public for the last two or three weeks. We know that we are proposing to purchase certain islands; that we are paying for them a certain sum; that it is for a certain reason, supposedly. There is nothing connected with this treaty, so far as the Government of the United States is concerned, which the people of the United States might not well know in advance of their entering into an obligation to pay \$25,000,000 for the lands which we are to get. How much better it would be that the facts be put out in full and with frankness rather than have them go out by connivance.

As the Senator from Missouri has said, if a foreign power dealing with us requested that nothing be said until the matter was closed, that presents another question which I am not at this time going to discuss. But I do want to go on record, once and for all, that there are very few treaties, of a limited number and of a peculiar nature, which require secrecy so far as this Government is concerned; and the quicker the Senate of the United States dispenses with these executive sessions and the consideration of this class of treaties in executive sessions and deals with them in the open the better it will be for the dignity of the Senate and the better it will be for the people of the United States. When this great war in Europe shall have been fully written secret diplomacy will be found to be one of its contributing causes. I am hopeful we will soon rid ourselves of this relic of a discredited age.

RESIGNATION OF FORMER DIRECTOR OF THE CENSUS.

Mr. TOWNSEND. Mr. President, I rise for the purpose of calling attention very briefly to a matter of somewhat recent history which seems to me to have been made pertinent at this time by a telegram sent out by the Secretary of Commerce, Mr. Redfield, and published in the papers yesterday relative to the appointment of Mr. William J. Harris as successor to E. Dana Durand, former Director of the Census. That telegram perverts the facts. I would not speak of this subject if I were not entirely familiar with it.

As reported in the press, the Secretary of Commerce asserts that Mr. Durand resigned from his position, and, on account of the existence of the vacancy, Mr. Harris was put in his place. Mr. President, that is not correct. The fact is that the Secretary of Commerce called upon Mr. Durand somewhere about the 1st of April and stated to him—and now I am quoting from what Mr. Durand afterward told me—that he, Mr. Redfield, desired the position of director and wanted Durand's resignation. Mr. Durand stated to Secretary Redfield the importance of the work then in progress and about to be completed which he thought he ought to be permitted to finish. Mr. Durand believed, or thought he had reason to believe that the Secretary would withhold the sending of his successor's name to the Senate until the special work of the Thirteenth Census was completed, which would be in about two months. It appears, however, that on that day, or the day after, the name of Mr. Harris was sent to the Senate for director, and the next day Mr. Durand sent in his resignation. This nomination was sent to the Senate on April 17, as I recall, and immediately referred to the Committee on the Census, of which I am a member. Soon after it was referred there a meeting of the committee was called, which I attended. I had learned indirectly that Mr. Durand was about completing the work, and that unless he did complete it the reports would go out under the name of his successor, and whatever credit should have gone to Mr. Durand would go to the new director, and whatever defects might be found in it would undoubtedly be charged to Mr. Durand. I called the attention of the committee to this fact. There were several Democratic members of the committee who agreed with me, but there seemed to be some doubt as to just exactly what the situation was; and so, from the committee room, I called up the Director of the Census, Mr. Durand, and

he told me—which I subsequently reported to the committee—the facts as I have stated them to you.

It was at that time the opinion of the majority of the committee that this nomination of Mr. Harris should not be acted upon at once. One of the Democratic members of the committee volunteered to talk to the President about it, as he was sure that the President did not understand the situation. I was informed by that Senator that he did talk with the President, and that he had the impression from the President that a message was going to be sent by the President to the Senate withholding the nomination until the census report was completed. The Senator never heard anything more from the President. Soon afterwards another meeting of the Census Committee was held and a majority reported favorably upon the nomination of Mr. Harris. Unfortunately, I am not permitted to recite what occurred in the executive sessions of the Senate. It is sufficient to state, however, that that nomination was held up in the Senate until the 25th day of June, at which time Mr. Durand had stated he would have had opportunity to complete the census report.

Mr. President, I think it is perhaps proper for me to state that I was largely instrumental in holding up that nomination, in spite of the great efforts which were made to have it confirmed; and so Mr. Harris did not take his position until the 1st of July, or about that time, being confirmed on the 26th of June, as I recall.

I make this statement, Mr. President, because I believe it well for the country to have the facts in reference to this matter. Mr. Durand had made a very satisfactory director.

Mr. STONE. Mr. President—

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Michigan yield to the Senator from Missouri?

Mr. TOWNSEND. In just a moment. Mr. Durand was practically removed, for the Harris nomination was sent in first and Durand resigned a day or two afterwards, or about that time. He resigned under pressure and after he had stated to the Secretary that he felt that he ought to remain in his position until the census reports were completed.

I now yield to the Senator from Missouri.

Mr. STONE. Mr. President, I should like to ask the Senator whether it is his idea, and that of his political associates, to make this Durand business one of the rare issues of the campaign? The Senator's party is very much in search of issues, and I was just wondering whether this was to be one of them.

Mr. TOWNSEND. Neither the Senator from Michigan nor his party is in search of issues; the Senator from Missouri has already discovered that there are many; but I and my party have become somewhat weary of misrepresentations and misstatements on the part of representatives of this administration. The Senator may characterize this as a small matter, but it impeaches the truthfulness of a Cabinet officer and is characteristic of the administration.

Mr. HARDWICK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Georgia?

Mr. TOWNSEND. I yield.

Mr. HARDWICK. I want to inquire of the Senator from Michigan whether or not, when both of Mr. Cleveland's administrations came to an end, our good Republican friends who succeeded him kept in office Democratic Directors of the Census?

Mr. TOWNSEND. I think not. I am not arguing that point, and my complaint was not so much against your having that office. I did not say that I would oppose your having the office when this man's work was completed. It was only a matter of two months.

Mr. HARDWICK. Right there, Mr. President—

Mr. TOWNSEND. Just a moment; let me answer the question. The question at issue is whether a telegram sent out to the country by the Secretary of Commerce was true or false.

Mr. HARDWICK. Now if the Senator will yield, in the two instances when Republicans succeeded in power after each one of Mr. Cleveland's terms, did they wait until the Democratic Directors of the Census completed their work; and if so, how long?

Mr. TOWNSEND. I will say that I would have had a good deal more respect for the Secretary of Commerce if he had said: "We want that office, and we are making no excuse for taking it. We are not pretending that this man resigned when we forced him out of the position."

Mr. HARDWICK. The Senator knows we were entitled to it.

Mr. TOWNSEND. If the office of Director of the Census is to be regarded as political spoils, yes. Your party was in power. You took it as spoils with which to reward a spoilsman.

I am objecting now to the misrepresentation of the way in which you obtained it. Secretary Redfield states that he did not force Durand out of office to make room for a political worker. That Harris was appointed because of his political service I have no doubt. On this point I will quote some evidence that was put into the RECORD by the senior Senator from Nevada [Mr. NEWLANDS] at the time Mr. Harris was a nominee for a place on the Federal Trade Commission. This was what the senior Senator from Nevada [Mr. NEWLANDS] put in the RECORD. He quotes from an editorial in the Post of May 17:

W. J. HARRIS A POWER, HE SAYS.

"William J. Harris, of the Federal Trade Commission, is the dominant power now in Georgia politics," said Crawford Wheatley, of Americus, Ga., one of the delegates at large from Georgia to the Democratic national convention, at the New Willard, yesterday.

"At the recent State convention in Macon," continued Mr. Wheatley, "the name of Mr. Harris, who was on the ground to look after the administration's interests, elicited almost as much applause as that of the President. He was the only person asked to address the convention, although both Senator THOMAS W. HARDWICK and Gov. NAT HARRIS were present. As a further mark of confidence the slate of delegates to the national convention which he approved was elected. Mr. Harris and the President were both indorsed by the convention."

Now, I am not critically complaining of Mr. Harris for being interested in politics, if it is clean politics. I think a little more of a man, whether he be an officer or not, if he takes a wholesome, proper interest in politics. He can do that and not violate the true spirit of civil service. What I am stating to the Senate is the fact, however, and it is the fact, that Secretary Redfield was absolutely unfaithful to the record in his telegram. Mr. Harris was appointed for political reasons. His name was sent in and Mr. Durand was forced out of the office, and the intention was to give the new appointee credit for the work which Mr. Durand had done.

Mr. SMITH of Georgia. Mr. President, I desire to congratulate our friends on the other side that at last their candidate and they have found an issue in this campaign. After having thrashed over the whole field and been unable to discover any legitimate criticism of this administration, overpowered by the record of the President and by the magnificent legislation passed in the interests of the great masses of the people, they found an issue. True, the Democrats have given the country a great financial system, while the Republicans with their many years of rule had failed. True, the Democrats met the financial stress in 1914 following the war, when in 1907 the Republicans failed. True, act after act has been passed by the Democrats in the interest of the great body of the people, legislation which long since would have been passed but for opposition or neglect by the Republicans. That is of no avail.

The great issue made by Mr. Hughes and the Republicans is that Secretary Redfield recommended the removal of Durand from the office of Director of the Census. It is a splendid issue. It is worthy of Mr. Hughes and his associates.

Mr. OVERMAN. For another issue they have the appointment of Mr. E. Lester Jones as Superintendent of the Coast and Geodetic Survey.

Mr. SMITH of Georgia. That was not noticed by the distinguished Senator from Michigan this morning, so I pass it by as of no importance. But this is an issue, an issue worthy of the Republican Party, and it is entitled to discussion.

It is true that if this removal had been induced solely for partisan reasons we would have followed the example of the Republicans under like circumstances. The Senator does not deny that. His associates can not deny it.

But let us consider this question for just a few moments. If I were criticizing the Secretary and the President, it would be that they did not remove Mr. Durand sooner. If they had done so, there would have been ample cause. He was inefficient as an executive officer. If you will study his record, it will show a waste of money, a duplication of work, a carelessness of management that might be expected from a scientist and perhaps a great statistician, but a man without executive capacity and without the kind of force that is needed for a Director of the Census.

Now, upon this subject I have had some experience. I had the honor of filling, 20 years ago, the office of Secretary of the Interior. At that time the Census Bureau was under the Interior Department. A vacancy took place. I fell into the usual view that the man to fill the place must be a great statistician. I knew one who could fill it. It was first offered to the professor of political economy of Yale, now the president of that institution. He could not take it. Then, looking around for a great statistician, we located him at the head of the Labor Bureau. But the law did not allow the President to name as head of two bureaus the same man. Therefore I prepared a statute, so zealous was I, and submitted it to the President, and induced him to send it to Congress and secure its passage,

that we might have the great Commissioner of Labor also Director of the Census. I want to say very frankly that I found at the end of a few months that he did not dispatch the work of bringing the business to a close with effectiveness. He resigned, and his chief clerk filled the place a great deal better than did the able statistician.

The work of the statistician is not the work of the director. It should not be the work of the director to prepare himself the papers that go into the census reports. You have better work done by the Director of the Census when he does not undertake to write the reports himself, but as the executive officer insists that the various statisticians in charge bring their work together, and he supervises publication with speed and economy.

I wish to say, Mr. President, that we can lay the record for economy and dispatch and effectiveness made by Mr. Harris alongside that of Mr. Durand, and Mr. Durand's reputation will not gain by it. I will not say that Mr. Durand is not a statistician and not an accomplished man, but I do say that he neglected the administrative work of the Census Bureau; that he allowed waste in publications; that he allowed duplications in preparation; that he allowed duplication in work, and a great deal of work was thrown away. The expense bill he ran up was unnecessary.

Mr. President, with reference to the other portion of the issue between Mr. Durand and Mr. Redfield as to who first spoke of resigning, that is a question between them. I do not know. The Senator from Michigan does not know.

Mr. TOWNSEND. I think I do.

Mr. SMITH of Georgia. You know what you were told. I only know what I was told. I do not care. I would really have more regard for the Secretary if he had not waited for the resignation but had removed Mr. Durand. If I had occupied his place, I would have suggested to him as soon as I found his mode of handling business that a vacancy was desirable.

Mr. OLIVER and Mr. PENROSE addressed the Chair.

Mr. SMITH of Georgia. I yield to the junior Senator from Pennsylvania [Mr. OLIVER], as he rose first.

Mr. OLIVER. I will ask the Senator from Georgia if it is not a fact that the Secretary himself, as reported in this morning's papers, stated that he did not know at the time of the removal of Mr. Durand of his inefficiency. Assuming that the statements the Senator makes are true and that Mr. Durand was inefficient, is it not true that the Secretary confesses, as reported in to-day's paper, that he was not aware of that fact at the time the removal took place?

Mr. SMITH of Georgia. I do not recall now just how soon after Secretary Redfield took charge of his office this subject arose. He took charge on the 5th of May. The confirmation of Mr. Harris was in the latter part of June, was it not?

Mr. TOWNSEND. The 26th of June.

Mr. SMITH of Georgia. It was in the latter part of June. I do not recall just when Mr. Harris's nomination came to the Senate.

Mr. TOWNSEND. The 17th of April.

Mr. SMITH of Georgia. The Secretary, then, had but a little over 30 days in which to familiarize himself with Mr. Durand's lack of administrative capacity.

Mr. OLIVER. I am referring to the statement made by the Secretary in which he states that he did not know it when he removed Mr. Durand, but if he had known at that time what he afterwards knew he would have removed him.

Mr. SMITH of Georgia. As I construe the statement, it is that he understood it was the wish of Mr. Durand to go to Wisconsin, and at the time he named Mr. Harris it was not with the view of removing Mr. Durand against Mr. Durand's wish, but with the opinion that Mr. Durand was going to Wisconsin, and at that time he was not familiar with what he has since learned, the lack of administrative capacity of Mr. Durand. He must have learned it later on. If he had been familiar with the work of the Census Bureau, I believe he would, even before Mr. Durand's resignation, have agreed with the views I have expressed. I had learned something about it prior to that time. I had occasion to look into a part of the work of the Census Bureau, and had reached the conclusion that administrative force was lacking, and that the administration was making exactly the same mistake I made as Secretary of the Interior in seeking a statistician when an effective business man was much better at the head of the Census Bureau.

Mr. THOMAS. Mr. President, the Senator has referred to the fact that the Republican nominee has finally discovered an issue, which, as I understand it, is that it is wrong to displace a good official by a man who is unknown and untried. I ask the Senator whether if that, carried to its logical conclusion,

should not result in returning the present incumbent of the Presidency to his office the 5th of November?

Mr. SMITH of Georgia. Not only that, but we would be glad to hear from this candidate some frank declaration that if he comes into office none of his followers are to have places. That would cause a scattering even in their present limited number.

The truth is that the only issue which now seems to be worthy of being pressed is a hollow sham. If Mr. Durand had simply been removed to give place to another man who was competent and a Democrat, I for one would cordially approve the change. I believe it is desirable for an administrative officer to have the heads of the departments and bureaus around him in perfect sympathy with him.

I reiterate, Mr. President, that the administrative record of Mr. Durand was a failure, that it was accompanied with waste and lack of economy and lack of force, and that it does not compare favorably with the administrative record of his successor.

So far as the issue of fact is concerned between Mr. Durand and Mr. Redfield, if the Republicans now desire to change their great cause of appeal to the public from the first proposition, that Mr. Durand was removed to make place for a more competent administrative officer, who was a Democrat, and limit it to the issue as to whether Mr. Durand was right when he said he did not voluntarily resign, or Mr. Redfield was right when he understood that Mr. Durand wanted to resign, they can take that as their issue. They can submit that as their great issue and say to the people of the United States, here is an issue of veracity between Redfield and Durand, an issue of veracity between the Secretary of Commerce and the retired Director of the Census, and this issue of veracity is a sufficient reason for turning down the great record of the Democratic Party in its service to the people, and the great record of Woodrow Wilson in leading this country magnificently and caring for the interests of the people of the country for three years and a half in a way never before surpassed, through difficulties never equaled by a President since the time of Abraham Lincoln. If they think that is a basis for them to present their case to the people, I am willing for them to make all out of it they can.

Mr. TOWNSEND. Mr. President, I am reminded that somewhere in the Good Book the prophet said in talking unto the idolatrous people who were falling down to worship the golden image, "Cry aloud, for he is a god." The Senator and his party have worshiped at the shrine of the President and their only arguments are cries unto him. They believe that he alone is their salvation. They cry aloud, and it is only a cry, it is the word that the Senator hopes the country will take without any regard to the facts and circumstances which attend it.

The Senator's disposition to brush aside what I have proven to be a deliberate misstatement of facts is all right in the course of the political program that is marked out for him. Never mind if the facts are not true; do not let them embarrass you; brush them aside or deny them.

I rose to correct the record that has been made relative to this matter. The Senator says that Mr. Durand was an inefficient officer. I never heard that statement except from the Senator. He made it before the committee. I can see why the Senator might be very anxious in establishing such an excuse when the boss of Georgia politics was demanding that he should be recognized in some place and therefore some place had to be created for him and a false excuse is better than none at all.

I know of no comparison that has been made between two Directors of the Census, Durand and Harris. I know the general impression is that under Mr. Durand's direction there was compiled the most complete census that was ever made. It ought to be so. I admit that the last census ought to be the best census, because we are supposed to learn something and gain some information from experience. But as I said, I have never heard Director Durand attacked for his inability except by the senior Senator from Georgia.

But that is outside of the issue. The Senator, in answering, says that Republicans are making this an issue in the campaign. Oh, this is only just one little incident, and the Senators are squirming on the other side over the arraignment of their party and hope to make the record clear by stating it is all right; but unfounded declamations will not weigh much as arguments with the people, who are not going to be satisfied entirely with words, but are going to insist on knowing the truth about this weak, inefficient, and unreliable present administration.

Mr. THOMAS. Mr. President, the Senator from Michigan [Mr. TOWNSEND], in replying to the remarks of the Senator from Georgia, suggests the difficulty of making a campaign

upon words merely. I may not quote him accurately, but I think that is the substance of his criticism. I think it is a good one. It recalls an editorial in to-day's New York Herald which I have read within the hour. It is so appropriate, so much in line with the Senator's criticism, and so short that I venture to read it. It is entitled "Mr. Hughes hit out," and is as follows:

The Herald thinks that Mr. Hughes is making a mistake in his frequent attacks upon Mr. Wilson. There is likely to be a monotony in faultfinding. Mr. Hughes can do a great deal better if he will take a page out of his own policies when he was governor of the State of New York. He is regarded by the American public generally with confidence, and when he was governor he was responsible for considerable constructive legislation. He wrote the public-service law in New York State, which has since been copied by the National Government and by every State in the Union. It is true that he made a good many enemies among the race-track gamblers by his position on race-track betting, but he has since been vindicated as to that. Mr. Hughes, by telling the public what he will do, rather than by finding fault with Mr. Wilson, will, we think, make greater headway with the thinking public.

Mr. President, this comes from a newspaper which supports the candidacy of Mr. Justice Hughes, and points the finger of criticism, when the public, Republicans and Democrats alike, are directing their comments. The nominee indulges in a tirade of words, unaccompanied by any suggestion of a constructive or other positive policy, and this will continue in all probability.

The Senator from Michigan seems to think that we upon this side of the Chamber are uneasy regarding the progress of the campaign. We may become so, Mr. President, but not yet. We perceive less reason for uneasiness than we did a month ago. The candidate is not so formidable as he seemed. A good many years ago California had a governor whose name was Newton Booth. He led the great fight of the people in the early seventies against the Central Pacific Railroad monopoly, and led it successfully. The people, without regard to party, sent him to the Senate of the United States in the belief that he would there grow in usefulness and power. He was classified as an independent. After occupying his seat for four long years and attempting little, the then Senator from Nevada, Mr. Nye, sneeringly remarked that the Senator from California was like a squab—biggest when he was first born. The modern application of that criticism is too obvious to require comment.

When the Republican nominee for President maps out a policy of his own and quits condemning others, there will be time enough for Democrats to seriously consider his candidacy; but he gives no sign of doing this, Mr. President. This effort to catch everybody and everything is consistent only with a policy of denunciation of the other side—a policy to which Mr. Hughes, as a most excellent lawyer, has doubtless had frequent occasion to resort in his days of previous, as he will also in his days of subsequent, practice at the bar. He will declare no constructive policy, because it may offend where perhaps offense would be more serious than the satisfaction which it would give in other directions. To use his own elegant expression, well befitting the lips of a former Justice of the Supreme Court, "You might just as well expect a revival meeting from a disorderly house."

Mr. CHILTON. Mr. President, I was not in the Chamber when the Senator from Michigan [Mr. TOWNSEND] began his remarks on the subject which he discussed, but as I came in he was reading from the CONGRESSIONAL RECORD, and I afterwards learned that it was the RECORD of May 18, 1916. I do not want to take the time—

Mr. FLETCHER. May I make a parliamentary inquiry, Mr. President?

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Florida?

Mr. CHILTON. I do.

Mr. FLETCHER. I desire to know whether or not the shipping bill, House bill 15455, is before the Senate for consideration?

Mr. SMITH of Georgia. It is.

Mr. GALLINGER. It is not only up for consideration but it is being considered and discussed, I will say to the Senator from Florida.

Mr. CHILTON. I hope the Senator from Florida does not think that I will not stick to the subject.

Mr. FLETCHER. I did not know what the Senate was proceeding with, and I wanted to ascertain that for my own information.

Mr. CHILTON. I think my discussion will fit anything that has been before the Senate or which may hereafter come before the Senate. I will stick to the rule.

Mr. President, I do not want to take any part in what I consider, without meaning any reflection upon Senators who have engaged in it, this hypocrisy about appointments to office. I

think what has been done in regard to Mr. Durand was done within the rights of everybody connected with it.

Mr. Durand was given proper consideration by the Committee on the Census. The whole matter was discussed, and, after going over it, the name of Mr. Harris was regularly and legally reported for confirmation and approval to the Senate; and he was confirmed by the Senate. He made a splendid official. I have been chairman of the Committee on the Census, and I know that he was a good Director of the Census, observing not only the civil-service law but every other law. His record is there to stand for itself, and it is just as good a record as that of Mr. Durand or of anyone else who ever occupied the position. In my judgment, Mr. Harris improved upon Mr. Durand's work and showed superior adaptability to the work.

I had intended, however, Mr. President, to call attention to the remarks of the Senator from Nevada [Mr. NEWLANDS], which were made on May 18, 1916, and to a newspaper clipping which was at that time read by the Senator from Nevada and which has been again read to the Senate this morning by the Senator from Michigan, as he himself informs me. As the Senator from Michigan has read it, I shall not weary the Senate by again reading it. It was a newspaper report of an interview with a distinguished citizen of the State of Georgia concerning the popularity of Mr. Harris in that State, and containing some inaccurate statements as to what Mr. Harris had done in that State at a Democratic convention.

The facts are that Mr. Harris did not go to the State of Georgia at that time to attend a convention at all, but that he went there upon private business. A notice had been given of a public sale of some property in which he was interested, and he had to go there upon that business. The sale was within a few miles of the place where the convention was held. As to attending the convention, he was on his way home, and stopped over to see some old friends. He did not go there to represent the administration nor himself nor the Democratic Party; but, I repeat, he was simply in the State on business, and dropped by the convention to see many old friends.

It is hypocrisy for us to talk about men not doing those natural things if they have been in politics at all. Anyone who has risen to the prominence to which Mr. Harris has risen must be known by the prominent men of both parties in the State, and it would be perfectly natural under the circumstances which I have stated for him to drop into a State convention, either a Republican or a Democratic convention.

But, Mr. President, the essential thing is that he was not a delegate to that convention; he was not there to represent the administration; he was there only incidentally, as I have said, having gone to the State primarily upon business which required his personal attention. Being there upon private business, I say he did not attend the convention—I have looked into that—he did not attend the convention; he was not upon the floor of the convention. If there at all, he only attended as anyone else would, and sat in the gallery, as did any other spectator.

Mr. Harris is popular in the State of Georgia, Mr. President, as he is popular here. It would be very natural that at a gathering of the Democrats of Georgia, as it would be natural for the Democrats in any other State, to indorse first the splendid administration of President Wilson. Inasmuch as the President had signally honored Mr. Harris and Mr. Harris had signally honored both positions to which he had been appointed, it was most natural that the Democrats would link his name with that of the great President who appointed him, and would thank the President in effect for making the appointment.

I wanted to make this statement. The statement of the Senator from Nevada on May 18 that Mr. Harris was engaged actively in politics in that State was made upon information that was not correct, and I know that the distinguished Senator from Nevada, if he had known the facts, would not have made the insinuation which he made at that time. In his earnestness to see to it that the Federal Trade Commissioners shall not participate in partisan politics the interview from an overzealous Georgian was read into the RECORD, and that interview did Mr. Harris an injustice, even though it did disclose the fact that he is popular in his native State.

I suspect that in the exigencies of politics, in the dearth of other issues, the Senator from Michigan would now possibly put the same construction upon the act which the Senator from Nevada mistakenly put upon it at the time. We can excuse our Republican friends in this great emergency, when they have nothing else to talk about and have to pick up these little inconsequential matters upon which to base some kind of a plea to the American people to put a face upon the remarkable campaign which they are beginning. If they could not enlarge upon these small matters, what would they have to talk about?

Mr. PENROSE. Mr. President, it seems that the real issue involved in this controversy is overlooked. Mr. Durand is not the issue in the present contest; but the Secretary of Commerce deliberately and publicly stated that Mr. Durand was not removed, but that his resignation was voluntarily tendered.

Now, it turns out as a well-established fact that Mr. Durand was removed against his desire and his will, and the Secretary of Commerce is detected, to put it mildly, in a deliberate misrepresentation to the American people.

I am not going to blame the Democratic Party for being spoilsmen. I never expected anything else. I can not claim to be a fanatic civil-service reformer myself. I believe in a moderate degree of civil-service regulation; but what I abhor is the hypocrisy, Mr. President, which characterizes the whole transaction.

President Wilson in his campaign goes before the people upon a lofty standard of the "moral uplift," and with many pretentious declarations in favor of the civil service, and then, after he is inaugurated, we see a greater raid upon the merit system than has been witnessed in the history of the country since the time of Andrew Jackson. It was given forth that the postmasters were to be permitted to serve their four years' tenure of office. That has always been a custom recognized by the Republican Party. These officials are not within the classified service, and, so far as the people are educated to the civil-service standards, they are looked upon as the spoils of war; but there has always been a thought that it was for the interest of the service, and perhaps to the advantage of the party in power, to permit each postmaster to serve out his four years, and then, when his four years' term had expired, the question of a new appointment came up. Otherwise this enormous patronage, amounting to many thousand postmasters, was thrown upon the party in power all at once; changes of a sweeping and radical character were made, the party in power was embarrassed, and the service was disturbed.

An intimation that that rule would be observed was held out by the Postmaster General or some accredited official of the administration. It had always been the custom of Republican administrations when in power. I know that following Cleveland's last administration, which is the most recent precedent, in Pennsylvania I do not recall a case where the Senators from Pennsylvania or the Representatives from that State requested the removal of a Democratic postmaster until his term had expired; and even toward the expiration of the Congress prior to Mr. Cleveland's relinquishing the presidential office the Republicans in the Senate cheerfully acquiesced in the confirmation of Democratic postmasters up to the 4th of March. On the other hand, when Mr. Wilson was elected, we witnessed the deliberate "holdup," through a threatened filibuster, of all the long list of nominees for postmasters and other appointments sent in by President Taft during the short session of the last Congress during his administration. Then, when the present administration assumed office, the postmasters all over the country were ruthlessly beheaded. The intimation that they were to be permitted to serve four years was cast to the winds; and, further than that, honorable men, who had served as postmasters during the 18 years of Republican control, were besmirched by innuendo, trumped-up charges, and accusations trivial in nature, but calculated to reflect on their character for the rest of their careers, just as charges were trumped up against Durand. It is the infernal hypocrisy of the whole transaction, Mr. President, to which I object and which every honorable American in the country will protest against when he knows all the facts.

Mr. BRYAN. Mr. President—

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Pennsylvania yield to the Senator from Florida?

Mr. PENROSE. I do.

Mr. BRYAN. Did I understand the Senator from Pennsylvania to say that the postmasters were not permitted to serve out their terms under the present administration?

Mr. PENROSE. Of course they were not.

Mr. BRYAN. I am sure that, so far as my State is concerned—

Mr. PENROSE. I do not know anything about the Senator's State.

Mr. BRYAN. They were permitted to serve out their terms in every instance of which I have any knowledge.

Mr. SIMMONS. And everywhere else.

Mr. PENROSE. The Senator ought to know about Florida.

Mr. TOWNSEND. Mr. President, will the Senator from Pennsylvania permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Pennsylvania yield to the Senator from Michigan?

Mr. PENROSE. Yes.

Mr. TOWNSEND. That was true after some time had elapsed following the accession of the present administration to power; but at the beginning of this administration nomination after nomination was sent to the Senate in cases where the term of office had been shortened until there was a persistent effort in the Senate and in the Committee on Post Offices and Post Roads to prevent the consideration of nominations of men sent in to succeed postmasters whose terms had not expired, unless there was cause for removal.

Mr. BRYAN. I do not know of a single instance where a postmaster has not been permitted to serve out his term.

Mr. PENROSE. Mr. President, I believe I have the floor.

Mr. SHAFROTH. Mr. President—

The PRESIDING OFFICER. The Senator from Pennsylvania is entitled to the floor. Does he yield to the Senator from Colorado?

Mr. PENROSE. For an inquiry; yes.

Mr. SHAFROTH. I should like to say for the information of the Senator from Pennsylvania that, so far as the State of Colorado is concerned, I do not know of a single instance where a postmaster was removed before his term of office had expired.

Mr. PENROSE. Well, the thirst for office among the Democrats perhaps had not been acquired in Colorado until recently; but in Pennsylvania and in nearly every other State the contrary has been the fact; and proof conclusive that such is the fact is shown in a book, accessible to any Senator, containing a very long list of offices, the nominations to which were not confirmed during the third session of the Sixty-second Congress, ending March 4, 1913. Why were the nominations of these men held up if not to gratify the spoilsmen in the Democratic Party? If the administration in power had beheaded these men without this hypocrisy, this fraudulent pretense, I would not object; but I know, as a member of the Committee on Post Offices and Post Roads, how Republican officials, honorable men, efficient officers, have been humiliated in their homes and besmirched down here at the department, with no opportunity to secure an investigation and no opportunity to defend themselves, subjected to an infamous and cowardly attack, which I resent and every other honorable man would resent. The methods pursued, perhaps, more than what was done afford a source of serious complaint, not only in the Post Office Department but in all the other departments.

It is well known, and can not be denied, that the invasion of all these new, untried, and inexperienced men as postmasters all over the country resulted in an utter demoralization of the service. In the city of Philadelphia we have never had a worse administration of postal matters than under the present Democratic postmaster, who was put in there after the resignation of the Republican postmaster. I have visited the State of the Senator from Florida, and have seen postmasters in charge there at some of the post offices who would hardly be competent, physically or mentally, to sweep the streets.

Mr. BRYAN. Mr. President, I am sure the postmasters to whom the Senator refers must have been Republicans.

Mr. PENROSE. No; this was a good Democrat I had in mind. There was only one Republican in the town, and he—

Mr. BRYAN. He was the postmaster. I have no doubt.

Mr. PENROSE. He was not the postmaster. The Post Office Department has been completely demoralized, as is well known. In the city of Philadelphia the collector of customs was removed with this same hypocrisy and false pretense, charges not openly made, not authenticated, no one taking the responsibility for them, whispered in the corridors of the Treasury Department—an honorable man who stands as high as any citizen in Philadelphia or in Pennsylvania; and yet he was put out and a Democrat was appointed whose chief qualification for the place was his ability to go over the country talking free silver and inflated currency, and who has hardly been one hour a day in the customhouse since he has held the office.

The Republicans, Mr. President, were consistent—in my opinion frequently almost too rigid—in the administration of the merit system. It is well known to every Senator—and I have no doubt many of them have complained about it on the Republican side—that the Civil Service Commission under President Taft was really a Democratic institution, and that any complaint whatever of activity in politics—I have known numbers of cases to occur in Philadelphia—was immediately taken up and attended to, and in very numerous instances the official whose partisan activity was complained of was suspended for 30 or 60 days, or whatever the penalty might be. I have heard of no such case under the present Democratic régime.

It is claimed, and I believe correctly, Mr. President—I have not the exact data—that some 20,000 additional places have

been created under the present administration, at an annual expense of from forty to forty-five million dollars; and it is no exaggeration to say that most of these places have been purposely kept out of the civil service by riders put into appropriation bills, and that fully 50 per cent of these men are not performing duty one hour a day, but are attending to their own private business or actively participating in the politics of their localities. That is one considerable item in this deficit which is staring us in the face and which no revenue bill which the Democratic Party can bring into this Chamber will cure or correct—wastefulness in the Government service, and to a large extent incompetence.

Mr. President, I suppose the proceedings of the National Civil Service Reform League have some authority. I do not know who the officers are. Probably there are as many Democrats, or more, on the board of management than there are Republicans; but their indictment of the Wilson administration for violation of the civil-service principle is certainly astonishing to those who are not familiar with the details.

They say—I refer to the report of December 11 and 12, 1913, and do not quote exactly, but refer to some of their declarations:

The change in administration in Washington has been followed, as was expected by serious assaults on the merit system. In the last session of the last Congress hostility to the civil-service law displayed itself openly. The occasion for these early attacks was the order of President Taft, issued on October 15, 1912, placing in the competitive classified service the 36,000 fourth-class postmasters south of the Ohio and Potomac Rivers and west of the Mississippi River. The order was attacked because, as has been the case in every extension of the classification, beginning with the passage of the civil-service law in 1883, the order of October 15 covered in thousands of political appointees who had never passed an examination. The resolution to repeal the order, made in the form of a rider to the Post Office appropriation bill, was recognized, however, as clearly political in its purpose, and was adopted by a vote of 141 to 107, 40 Democrats, to their credit, refusing to approve this backward step.

Thus, Mr. President, immediately after the inauguration of the present administration, a large majority of the Democratic Party in the House of Representatives started the raid upon the merit system by urging the repeal of this executive order of Mr. Taft.

Then they go on to say:

Early in the special session of the present Congress other signs of a determination to overthrow the merit system became manifest. The first serious effort came in the form of a rider to the tariff bill, inserted by the Senate committee, providing that the force employed for the collection of the income tax should for two years be appointed without compliance with the requirements of the civil-service law. The exemption of this force is peculiarly dangerous because of the great inquisitorial powers which will vest in these collectors, carrying with them rich opportunities for corrupt favoritism or oppression in the collection of the tax, if the appointment of the force is not safeguarded from politics by the barriers of the merit system. In its vigorous opposition to this rider this league, fortunately, had the co-operation of commercial and civic organizations throughout the country, and the amendment was scathingly criticized by the press.

Mr. President, this rider invaded what ought to be a branch of the Government service maintained upon the very highest grade, yet the Democratic majority deliberately kept these thousands of appointees outside of the requirements of the civil service; for what reason? Simply to reward the Democratic spoilsmen. Anyone who has seen the class of men who invade the houses of individuals or the offices of banks and corporations to ask them questions about their corporation tax or their income tax knows how unworthy and how unfit a large number of them are for the responsible and confidential duties with which they are intrusted.

Then, Mr. President, I should say that this rider before its passage was amended so as to provide that the appointments should be made under rules and regulations to be fixed by the Secretary of the Treasury, and by the adoption of a clause directing that the income-tax employees outside of Washington should be employed on general internal-revenue work when not engaged in the collection of the income tax.

The latter clause makes it possible—

Says the Civil Service League—

to pack the general internal-revenue force with political appointees, but in its amended form the rider undoubtedly left with the President the power to order that the appointments be made under civil-service rules and regulations. This the league earnestly requested the President to do, but thus far no action has been taken.

And this, Mr. President, in the face of the repeated and pretentious claims of Mr. Wilson, when he was a candidate, that he believed in civil-service reform and abhorred the spoils hunter. Under no Republican administration can such a condition be recalled; and not since a period long before the Civil War has there been such a ruthless and unscrupulous and brazen raid upon the merit system as we have witnessed under the present Democratic administration, notwithstanding the halo of righteousness and uplift which the present administration has assumed.

The Secretary of the Treasury, meanwhile, has issued a set of regulations governing these appointments which call in general for a statement from applicants as to their training, experience, and so forth, and for references as to their character. The best that can be hoped from this system is a weak pass examination, necessarily far inferior to the competitive tests which would have been set by the Civil Service Commission.

Almost every month witnesses an additional assault upon the merit system and the efficiency of the public service.

Upon the heels of this successful effort came—

Says the report referred to—

a worse rider to the urgent deficiency appropriation bill, removing from the competitive classified service practically all deputy collectors of internal revenue and deputy United States marshals. The deputy collectors had been in the competitive classified service since 1907; the deputy marshals since 1909. For their exemption there is no shadow of excuse. The classification of the Internal Revenue Service was followed by striking increases in economy and efficiency. The exemption of the deputies can work only injury to the service, not merely through lowering its efficiency but through increasing the political activity of the deputies, which will again be felt with special force in the Southern States. * * * It was only by the narrow majority of 5 that the rider was approved, 57 Democrats voting against it.

The League goes on further to say that—

This proviso was most obnoxious, not only per se but because of its appearance as a totally irrelevant rider in an appropriation bill. The League urged the President to veto the bill and thus check the growing tendency of Congress to force the President's hand in civil-service matters through rider legislation. At the same time it confidently expected that if he did not follow this course he would at least exercise the power which the language of the bill gave him and order that the deputies should remain in the competitive classified service. To the deep regret of the League, however, neither of these things was done. Instead, the President signed the bill and issued a memorandum—

Reciting his reasons for not issuing the civil-service order, the report of the League goes on to say:

The League takes issue squarely with the President on his statement that the deputies were never intended to be included under the ordinary provisions of the civil-service law. Their appointment through competitive examinations has worked most successfully, while their exemption, if one may judge from past experience, can result only in grave prejudice to the service. The President's statement of his opposition to the spoils system may have some wholesome effect on Congress.

But it did not have any wholesome effect, Mr. President, as the Civil Service League thought it might, because other attacks upon the merit system continued to follow.

The report of the League goes on to say:

The league regrets that in the selection of ministers abroad the President has in many cases displaced experienced, trained diplomats with men of neither experience nor training, in some cases apparently distributing these posts as mere political rewards. It is evident that this country is far from an established merit tradition in this part of its foreign service, but the unfavorable criticism so widely made of several of the diplomatic appointments indicates the growing interest of the people in the complete reclamation of the foreign service from the taint of partisan politics. It is especially encouraging that business men and business organizations have shown a lively interest in a matter which so vitally affects the entire Nation.

In other words, Mr. President, our diplomatic system, which had been built up so carefully by experienced men, has been completely revolutionized, and I doubt whether there is a single minister abroad to-day who can speak the language of the country to which he is accredited, unless it be the minister to England.

Now, about the Civil Service Commission, Mr. President. On August 10 we noticed in the Washington Post the astonishing information that the officials of the Civil Service League can not get access to the records of the commission. I will ask the Secretary to read this short extract from the Post.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

SEES CIVIL SERVICE SECRECY—REFORM LEAGUE CHARGES IT WAS NOT ALLOWED TO INSPECT RECORDS.

NEW YORK, August 9.

Charges that the Federal Civil Service Commission has inaugurated a policy of secrecy which threatens to endanger the civil-service law and has been sustained in that action by President Wilson were made by the National Civil Service Reform League to-day.

The league made public correspondence it has had with the president of the Civil Service Commission and also with President Wilson. League officers charged that the Federal Civil Service Commission for the first time, with the exception of one short period in 1899, refused permission for an examination of its records on the ground that an attempt might be made to mislead the public and attack and embarrass the Wilson administration. The league wanted to observe the practical effect of the Executive order of May 7, 1913, requiring fourth class postmasters to submit to a competitive examination, declaring that in many instances the effect of the act was simply to replace Republicans with Democrats.

Mr. PENROSE. That is an extraordinary position for the Civil Service Commission to take with the consent of the President. It has only been taken heretofore upon the one occasion referred to, and I am not advised as to the reasons for it then; but upon every other occasion under Republican administration the books and the data and the archives have been opened.

Such should be the practice of every department, with a few exceptions. How can it embarrass the administration of President Wilson to permit the Civil Service League to examine these archives? Is there anything there that shows guilt, or that shows violations of law, or that shows an entire disregard for the merit system, that these doors must be kept locked and closed to an honorable and respectable association which have for years, from their point of view, and to the best of their ability, endeavored to advance a propaganda in which they believe? I charge now that they are kept locked because they do not dare open them to the National Civil Service League, because the disclosures there would be too shocking and glaring to everyone, not alone to those interested in the merit system but to those interested in efficient public service.

The League goes on to say:

The Civil Service Commission has been reorganized, the President retaining Commissioner McIlhenny, who is now president of the commission, and appointing Mr. Charles H. Galloway, of South Carolina, and Mr. Hermon W. Craven, of the State of Washington, as successors to Gen. Black and Commissioner Washburn, whose resignations he accepted. President McIlhenny has been a member of the commission since 1906. Neither of the new members has had any experience in civil-service matters. The work before the commission now is of greatest importance, including, as it does, the development of an efficiency system for the entire service as provided for by Congress in the summer of 1912. As John R. Procter, president of the United States Commission, said 12 years ago: "The nature of the examinations depends really, not only upon the rules, but upon the commission which is to execute them. A commission could run the standard down until an entirely different class of men was obtained, or gradually work it up so as to bring in only the highest class of candidates." The new members of the commission will need months of labor to give them the proper mastery of the definite details of the commission's work, but, although for these reasons it is unfortunate that in making the changes in the commission's personnel the President did not select men of some practical experience in civil-service administration, the league confidently hopes for a sound, progressive administration of the law.

I might add in passing that Mr. Black resigned from the Civil Service Commission because he was unwilling to comply with the request of the President to agree to the proposal to take the fourth-class postmasters out of the civil service. This was in 1913. That hope has been considerably shattered. Here we have the statement made by the Senator from Colorado and the Senator from Florida that no postmasters were changed in their States.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the shipping bill.

Mr. SIMMONS. It is already before the Senate.

The PRESIDING OFFICER. It is before the Senate as in Committee of the Whole.

Mr. SIMMONS. We are now considering it.

Mr. PENROSE. We are considering the statistics regarding the civil service, and, I take it, when the shipping bill is passed the \$50,000,000 will be largely squandered to pay liberal salaries to Democratic officeholders, who will be carefully relieved from any civil-service requirement and who will walk the quarter-deck, whether they have ever been off of dry land or not before.

The League, in reference to these post offices, says:

Thirty thousand of the presidential postmasters have been changed.

This, remember, was in December, 1913. So the ax was swinging quite actively at that time, not very long after the President assumed office.

Forty-six per cent of the collectors of internal revenue, 36 per cent of the United States district attorneys, and 20 per cent of the registers of the General Land Office.

For an administration that has been in office for only a few months I think that record is doing fairly well from the spoil hunter's point of view.

In some cases the appointments have been distinctly political, notably in such instances as the appointment of William J. Harris as Director of the Census to succeed E. Dana Durand, and of Patrick H. Quinn, a Democratic district leader of Brooklyn, to be shipping commissioner in New York City.

The League declares:

To this task department heads and the President himself have been forced to devote an enormous amount of time and energy which should have been devoted to the consideration of questions of real importance.

Still, I can imagine, Mr. President, that while the policy of "watchful waiting" was in full force leisure was afforded for the President to consider the appointment of Democratic workers and supporters of the administration in different parts of the country.

The League goes on to say:

Another feature of the national administration which calls for serious consideration and early action is the lack of any real system of promotion on merit in the departments.

The fact of the matter is, Mr. President, the demotions and the promotions have utterly disregarded merit within the

classified service. Good Democrats were promoted and good Republicans demoted. As far as I have been able to discover, in the Philadelphia customhouse and elsewhere, there has been absolutely no other reason for causing these changes; and when it was not quite convenient to demote or promote, the handy method of abolishing a place has been resorted to; so that the Republican suddenly woke up in the morning and found his place abolished, and, being in the classified service, was compelled to take any place, however inferior it might be, available or else leave the service entirely.

In the Department of State the League cites as an illustration:

In the Department of State the two foreign trade advisers, men of valuable experience and training, voluntarily resigned because they believed the failure to recognize merit in filling the higher posts, and the substitution of politics for merit, made a career in the service impossible. Their places were filled by the selection of two men without experience, who evidently obtained appointment as a reward for personal or political services. The Solicitor of the Department of State is understood to have resigned for the same reasons.

Mr. President, this making of Executive orders has been a marked characteristic of the present administration. The league says:

The exercise of the power by Executive order to grant special exceptions permitting the appointment of an individual without complying with the requirements of the civil-service rules has been carefully watched by the league, and it is manifest that its abuse must be closely guarded. During the four years of President Taft's administration an average of 61 special exceptions a year were granted. Seventy-two of these exceptions were granted within the last two months of his administration.

Later on I shall come to the number granted by the present administration and compare them with those granted during the administration of President Taft. I will show that they far exceed similar orders in number under any preceding administration. The league goes on to say:

President Wilson announced on the 5th of March that he did not propose to see applicants for office in person unless he himself invited the interview, and that it was his intention to deal with appointments through the heads of the several executive departments. The attitude of the several Cabinet officers toward civil-service reform therefore immediately became a subject of great interest to the National Civil Service Reform League. The Secretary of State has clearly made or proposed appointments in payment for political services, and some other Cabinet officers have given signs of accepting a doctrine which Mr. Bryan publicly favored in 1908, namely, that the national offices should be divided between the two great parties in proportion to their political strength. Acceptance of this precept has been indicated by making some removals, some transfers, and some promotions in the classified service in such a way as to bring in or advance Democrats.

Then the League refers to the experience of the men who have been appointed:

Henry Morgenthau, chairman of the Democratic finance committee, displaced William Rockhill as minister extraordinary and envoy plenipotentiary to Turkey. Mr. Morgenthau was wholly without experience in diplomacy. Mr. Rockhill had been in the Diplomatic Service for 19 years as chief clerk and Third Assistant Secretary in the Department of State, minister and consul general to Greece, Roumania, and Serbia, director of the International Bureau of American Republics, commissioner of the United States in 1900-1 in connection with the Boxer insurrection in China, minister to China in 1905, ambassador to Russia in 1909, and thence transferred to Constantinople in 1911.

But the fact that Mr. Morgenthau was chairman of the Democratic finance committee and contributed a great many thousands of dollars to the national committee for the election of Mr. Wilson apparently gave him every qualification necessary to represent the American Republic in the foreign country referred to.

Of the 22 members displaced 13 had had several years' experience in the Diplomatic Service. None of the 22 who were appointed had ever had any experience. Every one of them, as far as I know—and I hope I will be able to show when I can get the paper—was a contributor in sums ranging from \$1,000 to \$30,000 or \$50,000 to the election of Mr. Wilson. That was their diplomatic experience and qualification for representing this country abroad.

I am not one to criticize a man for making a campaign contribution. I think it is a laudable proceeding on his part, an evidence of his patriotism and interest in his party; but I do object to this hypocrisy which enables an individual and a party to come into power under lofty pretenses and then practically sell every diplomatic office in the gift of the President for the consideration of a campaign contribution ranging from \$5,000 to \$30,000.

How much more was contributed beyond the amounts recorded and admitted is a matter of general gossip and conversation among those who are supposed to be familiar with the facts.

As the League declares:

None of the 22 new appointees had ever had any experience. As has been already mentioned, several of the appointments of obscure men to diplomatic posts have seemed to the public to be made in payment of political debts.

Says the Civil Service League:

It must be said with regret that the action of the administration with regard to the appointment of ambassadors and ministers, like much of the action on this subject in all preceding administrations, goes to establish the fact that in the United States there is no such thing as a profession of diplomacy.

I want to repeat that I do not want to be understood as criticizing these changes as a party man. What I do object to is the pretense of regard for civil service and the brutal performances which are witnessed afterwards, the unfair treatment of the Republican officeholders, who have been besmirched and had charges whispered about them which they could not deny or meet in order to bring about their removal from office, when it could have been done just as well in a straightforward, direct, and honest way.

The League goes on to say:

The rider placed by the Senate and House on the urgent deficiency bill was an unblushing attempt on the part of Congress to limit the range of the merit system in the national service and enlarge the range of the spoils system. To the adoption of this measure the Republicans in the House were uniformly opposed, and 57 Democrats stood by the pledge in the Democratic platform. The votes in favor of this pernicious measure were given by Democrats only.

I will soon be through, Mr. President. I had not intended to discuss this matter to-day, but on a later occasion. However, the occasion having arisen in a natural way, I have taken advantage of it.

The League further declares:

None of the new ministers appointed to succeed them can equal in trained qualifications the men they displaced. There are other men of experience in the Diplomatic Service from among whom it should not have been difficult to find proper representatives, in full sympathy with the administration's foreign policies and worthy of promotion.

Study of appointments, even to the higher position of ambassador, shows the existence of similar conditions. The Russian embassy, for example, filled in the recent past by such professional diplomats as John W. Riddle and William W. Rockhill and later by George von L. Meyer, promoted from Italy, has been offered to Henry M. Pindell, a newspaper editor of Peoria, Ill., of considerable local political prominence, but apparently without any special fitness for this difficult post. As to Turkey, another difficult post—

And so forth.

I have here a list of contributors to the Wilson campaign fund, which is a matter of public record and of considerable interest. I have not examined it very carefully. I notice James W. Gerard, of New York, ambassador to Germany, contributed \$13,500 to the Wilson campaign, and Mr. Henry Morgenthau, who the Civil Service League says displaced a trained diplomat and had no qualification whatever for the position, contributed \$10,000 on the first installment and \$20,000 on the second installment.

There are a large number. Mr. Frederic C. Penfield, who is upholding the honor and dignity of the country in Austria, contributed \$10,000 and then followed along with \$12,000. Mr. Charles W. McAlpin, who was said to have been offered the minor position of minister to the Netherlands, contributed \$2,000.

Mr. McCombs, who was said to have been offered the ambassadorship to France, if the newspapers can be relied upon, contributed \$11,000.

Charles R. Crane, who is said to have been offered the ambassadorship to Russia, but declined it, contributed \$40,000 and then a little later \$10,000.

There is a long list of minor contributions, all of them promptly rewarded with office, of the type of Walter W. Vick, of Rutherford, N. J., who contributed \$1,750, and was made general receiver of customs at Santo Domingo.

I want now to read briefly from the report of the proceedings of the National Civil Service Reform League, held in Chicago, Ill., December 3 and 4, 1914:

The first two of these acts—the exception of the field income-tax-collection force and the removal from the classified service of deputy collectors and deputy United States marshals—had passed into history at the last meeting of the league. The third inroad on the classified service followed in short order. On the eve of the passage of the currency bill, Senator OWEN, of the Committee on Banking and Currency, offered an amendment directing that employees of the Federal Reserve Board be appointed without complying with the requirements of the civil-service law. Despite the almost universal condemnation of this item as the most indefensible spoils grab in years, it was retained in the act by a majority of 1. Vice President MARSHALL breaking a tie and casting his vote in favor of the spoils rider. As soon as the officers of the league were informed of this action of the Senate, the President, the Members of the House, and the conferees on the bill were urged to reverse the action of the Senate. The House Democratic managers, however, accepted the Senate amendment without demur, and the bill was signed by the President on December 23. As enacted into law, a declaration was attached to the rider to the effect that the provision should not prevent the President from putting the employees in the classified service. After careful consideration of this section the officers of the league reached the conclusion that this provision allowed the President to order these places to be filled in accordance with the civil-service law at the very beginning of the system. In support of this conclusion it was urged that no worse menace—

I want to quote just what the League says:

In support of this conclusion, it was urged that no worse menace to the success of the new currency and banking system could be imagined than that its administration should be subjected to partisan politics; that the difficulty of excluding political influences in the future would be increased because of the fact that at the inception of the new system the force of employees under the board had been appointed without complying with the civil-service law and that this failure would be used as an excuse for wholesale changes in that force and for its reorganization on a partisan basis.

President Wilson decided that he did not have authority to act upon the league's suggestion, because the language of the currency act "distinctly provides for the employment of the employees of the Federal Reserve Board without regard to the civil-service rules." He assured the league, however, that "the Federal Reserve Board will not allow political considerations to influence its selections in the least, and that they will be made solely upon merit."

The statement of the President is branded with insincerity on its face.

He assured the League, however, that the Federal Reserve Board would not allow political considerations to influence its selections in the least, and that they would be made solely upon the merits, an assurance, Mr. President, which has had the effect of rendering every Republican unavailable for appointment in this department of the Government.

Now, the League goes on to say:

Successful in this attempt, the spoilsmen grew bolder and turned their attention to the Post Office appropriation bill. The House Committee on Post Offices and Post Roads attached to this great supply bill a rider removing all assistant postmasters from the competitive classified service. In which they had been placed by President Taft's order of September 30, 1910. This order was one of the great advances toward the reclamation of the Postal Service from politics. This attack on the civil service aroused friends of the merit system, who made it clear that the exemption of the assistant postmasters was one of the most backward steps that could be taken. It is a notorious fact that in the greater number of offices the assistant postmaster is the actual postmaster; that the holder of the title of postmaster is but the titular head, an absentee officeholder, whose time is given more to political management than to post-office administration.

Approximately 24 per cent of these officers have been appointed under the civil-service rules and regulations, either by promotion, transfer, or through open competitive examination. All of the 1,700 assistant postmasters carried into the service by Executive order have been in office for more than three years.

No action was taken on the legislation advocated by Mr. Moon until August, when Representative CULLOP offered an amendment striking out the provision relating to assistant postmasters and substituting therefor a section providing a four-year tenure of office for all employees of all post offices, to be selected by the postmaster "irrespective of any civil-service law to the contrary." The Cullop section was actually approved in the Committee of the Whole, but when the committee rose 87 Democrats joined with 75 Republicans and Progressives in rejecting the proposal. The House retained in the bill, however, by the small majority of 19 votes, the Moon provision relating to assistant postmasters.

Even these efforts made repeatedly to undermine the merit system on several occasions, to their credit be it said, have been resisted by a large part of the Democratic Party in the House of Representatives.

The League calls attention to another flagrant attack on the merit system:

The Indian appropriation bill furnished the next opportunity for attack on the law. To this measure a section was attached exempting over 100 physicians in the Indian Service from the operation of the civil-service law. In some respects this rider was worse than any of its predecessors. The Indians affected by the legislation are the wards of the Nation. To intrust the care of their health to any but physicians of sound training and high qualifications would be little short of criminal. The feasibility of selecting qualified physicians for the public service through civil-service examinations has been demonstrated many times and in all parts of the country. In the Indian Service itself the evidence conclusively shows that physicians employed under the contract system without examination are far inferior to those who have been selected through competition. In the face of this evidence the House took the places out of the classified service. The Senate fortunately declined to yield to this sordid desire to provide places for congressional favorites at the expense of the wards of the Nation, and these positions were retained in the competitive schedule.

The League goes on to express its opinion about the conduct of the State Department:

In spite of the open disapproval—

The report says—

In spite of the open disapproval of the business interests of the country, Congress next accepted the statement of the Secretary of Commerce that 14 important positions of commercial attaché credited to American ministers abroad should be filled without regard to the civil-service law. In urging the appointment of these attachés on a merit basis, the league called attention to the fact that as unclassified positions that would be regarded by members of Secretary Redfield's party as legitimate party spoils. Pressure to treat them as such would be great, and while the present Secretary might succeed in resisting it, about these places would always linger the atmosphere of political favoritism, which pervades the unclassified service of the United States. Nevertheless these positions were removed from the merit system with the result that they may be made the means for the payment of political obligations upon every change of administration.

Congress completed the reactionary record in the passage of the Trade Commission bill by exempting attorneys, special experts, and examiners of the new board from the operation of the law.

And since this report was made we will all recall that every commission that has been authorized contains this rider, that the civil-service regulations shall not apply to its employees. This is true of the rural-credits bill and of nearly every other measure providing for a commission that I have in mind.

I have some other matters in connection with this indictment of the Democratic Party, now in control of the Government, relative to the civil service, but I do not know that it is necessary to detain the Senate any longer upon the subject.

Mr. BRYAN. Mr. President—

The PRESIDING OFFICER (Mr. LEWIS in the chair). Does the Senator from Pennsylvania yield to the Senator from Florida?

Mr. PENROSE. For any inquiry; yes.

Mr. BRYAN. May I inquire of the Senator if the book from which he is reading makes any reference to the legislative, executive, and judicial appropriation bill which was passed in 1912 and which President Taft vetoed because it had in it a revision of the civil-service law, cutting down the term to five years? Does the book from which the Senator has been reading make any reference to that?

Mr. PENROSE. It may do so, but I have not noted it. I will give the Senator the book when I am through.

Mr. BRYAN. What does the Senator think of that legislation?

Mr. PENROSE. I do not quite understand to what the Senator from Florida refers.

Mr. BRYAN. In the appropriation bill for the legislative, executive, and judicial departments of the Government for the fiscal year 1913 both branches of Congress included a provision making radical changes in the civil-service law. I have before me the veto by President Taft of that bill, dated August 15, 1912. He vetoed that appropriation bill because it contained that provision. Was the Senator from Pennsylvania at that time opposed to any curtailment of the civil service, or did the Senator then vote for the legislation which President Taft later vetoed?

Mr. PENROSE. I have not the slightest recollection of it in the multitude of matters which have occurred since then.

Mr. BRYAN. It is remarkable to me that a civil-service reformer like the Senator from Pennsylvania does not remember that.

Mr. PENROSE. Mr. President, I do not pretend to be a civil-service reformer, but I merely make the statement that, after many pretentious claims on the part of the Democracy during the campaign in favor of civil service, there has been no more reckless or scandalous raid made upon the merit system than has been made by the present party in power. They have practically destroyed that system; they have taken the great bulk of appointments, scattered all over the country, out of the civil service, and have filled them to the detriment of the public service and to the inefficiency of the service, as is well known in the Post Office Department and in other departments. That Republicans may have been offenders in the past I am not prepared to argue about; but their offenses were trivial compared to this gigantic drive which has been made in the last two years, with the result that we have had this enormous increase in the number of places—some 20,000—at an annual expenditure of \$45,000,000 a year, filled by men who, in many instances, are not doing an hour's work a day, as the figures will prove, so far as the discharge of their official duties is concerned.

I shall only refer, Mr. President, to the Executive orders made under the present administration. It is really too small a matter for me to discuss in view of the very extensive operations through riders on appropriation bills. I only call attention to the fact that the number of Executive orders made for very trivial, and frequently for very ridiculous, reasons have been greater than those made by any other administration in recent years.

Therefore, Mr. President, to conclude, it seems to me that the Durand case is only the beginning and an illustration of an utter prostitution of the Government departments to partisan spoils-men and to party requirements, accompanied, not by a straightforward avowal of that purpose but with a hypocritical pretense that men resigned voluntarily when, as a matter of fact, they were compelled to resign, or they have been removed by trumping up charges which they could not answer or deny. The party in power every month for the last three years has been getting bolder and bolder until here, openly on the floor of the Senate and in the House of Representatives, we witness the placing of these riders on appropriation bills.

I shall ask, if there is no objection, to have the list of contributors referred to by me printed at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list referred to is as follows:

Amounts contributed to Wilson campaign fund as reported by Democratic national committee; amounts contributed to McCombs, McAdoo, and Quincy prenomination funds, as are shown in testimony before Campaign Contributions Committee of the Senate (subcommittee of Committee on Privileges and Elections), 1913.

A. H. Boyden, Salisbury, N. C., postmaster, Salisbury, July 15, 1914	\$2,500.00
A. S. Burleson, Austin, Tex., Postmaster General, Mar. 5, 1913	575.00
W. J. Bryan, Lincoln, Nebr., Secretary of State, Mar. 5, 1913	1,000.00
John Burke, Bismarck, N. Dak., Treasurer of United States, Mar. 17, 1913	100.00
John H. Clarke, Cleveland, Ohio, United States district judge northern district of Ohio, July 15, 1914	500.00
Henry D. Clayton, Eufala, Ala., district judge middle and northern districts of Alabama, May 2, 1914	100.00
H. C. Comings, Richford, Vt., collector of customs western district of Vermont, June 27, 1914	250.00
Josephus Daniels, Raleigh, N. C., Secretary of the Navy, Mar. 5, 1913	100.00
Winthrop M. Daniels, Princeton, N. J., Interstate Commerce Commissioner, Jan. 21, 1914	250.00
Winthrop M. Daniels, contributed to McCombs prenomination fund	300.00
C. L. Decker, Sheridan, Wyo., surveyor general of Wyoming, Sept. 25, 1914	100.00
Frederick A. Delano, Chicago, Federal Reserve Board, Aug. 4, 1914, and Commissioner of Industrial Relations, Sept. 10, 1913	100.00
John L. De Saules, New York, minister to Uruguay, Mar. 27, 1914	5,000.00
A. M. Dockery, Gallatin, Mo., Third Assistant Postmaster General, Mar. 13, 1913	100.00
Charles S. Duncan, Gettysburg, Pa., postmaster, Gettysburg, Mar. 6, 1914	214.50
Thomas Ewing, Jr., Yonkers, N. Y., Commissioner of Patents, July 10, 1913	500.00
Thomas Fox, Sacramento, Cal., postmaster, Sacramento, Sept. 10, 1913	100.00
James W. Gerard, New York, ambassador to Germany, July 28, 1913	13,500.00
Gonzales Bros., Columbia, S. C., W. E. Gonzales, South Carolina, minister to Cuba, June 21, 1913	100.00
R. B. Gordon, Celina, Ohio, superintendent document room, House, and elected Sergeant at Arms, House	100.00
T. W. Gregory, Austin, Tex., Attorney General United States, Aug. 29, 1914	507.31
Josh. T. Griffith, Owensboro, Ky., collector internal revenue, second district of Kentucky, June 10, 1913	100.00
George W. Guthrie, Pittsburgh, Pa., ambassador to Japan, May 1, 1913	1,000.00
William Bayard Hale, Hollis Park, N. Y., special representative or ambassador of President Wilson to Mexico, 1913-14	100.00
C. S. Hamlin, Boston, Assistant Secretary of the Treasury, July 28, 1913, and member Federal Trade Board, July 6, 1914	100.00
Andrieus A. Jones, Las Vegas, N. Mex., First Assistant Secretary of the Interior, May, 1913	100.00
Thomas D. Jones, Chicago, Federal Reserve Board, "declined under fire"	10,000.00
Thomas D. Jones, contributed to Cleveland H. Dodge prenomination fund	10,500.00
William Gibbs McAdoo, New York, Secretary of the Treasury, Mar. 5, 1913	100.00
William Gibbs McAdoo, contributed to McAdoo prenomination fund	2,700.00
William Gibbs McAdoo, contributed to McCombs prenomination fund	400.00
William F. McCombs, New York, offered ambassadorship to France (McCombs prenomination fund)	11,000.00
James C. McReynolds, New York, Attorney General of the United States, Mar. 5, 1913, and Associate Justice Supreme Court of the United States, 1914	100.00
Charles R. Crane, Chicago, offered but declined ambassadorship to Russia	40,000.00
Charles R. Crane, Chicago, contributed to McCombs prenomination fund	10,000.00
John B. Moore, New York, Counselor Department of State, Apr. 21, 1913	175.00
Henry Morgenthau, New York, ambassador to Turkey, Sept. 4, 1913	10,000.00
Henry Morgenthau, New York, contributed to McCombs prenomination fund	20,000.00
Meredith Nicholson, Indianapolis, nominated minister to Portugal; nomination withdrawn	200.00
Frank B. Niles, Toledo, Ohio, collector internal revenue tenth district Ohio, Dec. 20, 1913	100.00
Frank J. Noonan, Mahanoy City, Pa., United States marshal, eastern district Pennsylvania, Oct. 30, 1913	500.00
J. E. Osborne, Rawlins, Wyo., Assistant Secretary of State, Apr. 21, 1913	500.00
W. H. Osborne, Greensboro, N. C., Commissioner Internal Revenue, Apr. 24, 1913	100.00
Fred. C. Pabst, Galveston, Tex., collector of customs, Galveston district, Mar. 12, 1914	100.00
Frederic C. Penfield, Germantown, Pa., ambassador to Austria-Hungary, July 28, 1913	10,000.00
Frederic C. Penfield, Germantown, Pa., contributed to McCombs prenomination fund	12,000.00
A. J. Peters, Boston, Assistant Secretary of the Treasury, Aug. 12, 1914	100.00
H. M. Pindell, Peoria, Ill., confirmed ambassador to Russia, Jan. 27, 1914; subsequently resigned	100.00
Frank Rabb, Brownsville, Tex., collector customs district of Laredo, Sept. 2, 1913	100.00
William C. Redfield, New York, Secretary of Commerce, Mar. 5, 1913	100.00
Thomas E. Rush, New York, surveyor of customs district New York, Aug. 8, 1914	100.00

Cato Sells, Cleburne, Tex., Commissioner of Indian Affairs, June 2, 1913	\$100.00
William G. Sharpe, Elyria, Ohio, ambassador to France, June 19, 1914	100.00
A. S. Snowden, Paragould, Ark., postmaster, Paragould, June 29, 1914 (rejected)	100.00
Fred Jessup Stinson, Boston, nominated minister to Argentina, Sept. 24, 1914	100.00
Charles B. Strecker, Boston, Assistant Treasurer, Mar. 17, 1914	500.00
Samuel H. Thompson, jr., Denver, Colo., Assistant Attorney General, Apr. 24, 1913	100.00
Walter W. Vick, Rutherford, N. J., general receiver customs, Santo Domingo	1,750.00
Charles J. Vopicka, Chicago, minister to Roumania, Sept. 11, 1913	400.00
Carl S. Vrooman, Bloomington, Ill., Assistant Secretary Agricultural Department, Aug. 12, 1914	500.00
Frank P. Walsh, Kansas City, Commissioner on Industrial Relations, Sept. 10, 1913	500.00
Preston C. West, Muskogee, Okla., assistant attorney general, Interior Department, Aug. 19, 1913	100.00
Joseph E. Willard, Richmond, Va., ambassador to Spain, Sept. 10, 1913	2,000.00
John Skelton Williams, Richmond, Va., Comptroller of Currency, Treasury Department, Jan. 13, 1914	100.00
John Skelton Williams, contributed to McAdoo prenomination fund	100.00
H. Otto Wittmann, Jersey City, naval officer of customs, New York, Nov. 20, 1913	100.00

Possibilities.

	McCombs prenomination fund.	Democratic campaign fund.
Davies, Jos. E., Wisconsin.—Appointed United States Commissioner of Corporations. No contributions to Democratic campaign fund of record. Secretary Democratic national committee. Collected for and managed Wilson prenomination campaign in Massachusetts and other States, and in connection with Quincy prenomination fund in Massachusetts. Also handled and disbursed McCombs prenomination fund in Massachusetts.		
Alexander, Harry, New Jersey.—Said to be confidential agent of the President or Tumulty. His brother, J. R. Alexander, appointed postmaster at Zanesville, Ohio, Apr. 6, 1914. Contributed to McCombs prenomination fund.	\$100	
Russell, Jos. B., Massachusetts.—Offered collectorship customs, Massachusetts, and declined May, 1913.		\$100
Brandeis, L. D., Boston.—Look up Interstate Commerce Commission and see if employed there as special counsel. (Was active in making suggestions by letters and testimony as to framing of trust legislation, Sixty-third Congress, before Senate Interstate Commerce Committee)		500
Douglas, Chas. A., Washington, D. C.—Represents the Caranza Constitutionalists (Insurrectos) of Mexico in Washington, D. C., before the Department of State.		100
Quincy, Josiah, Boston.—Disbursed the so-called Quincy prenomination fund, including \$500 contributed by W. A. Gaston, Boston, Mass.		100
McAlpin, Chas. W., New York.—Offered (?) minister to the Netherlands.		2,000

Mr. SMITH of Georgia. Mr. President, some hour or more ago, about the middle of the address of the senior Senator from Pennsylvania [Mr. PENROSE], I felt quite a desire to briefly reply to a part of the address which he had delivered; but he has continued at such length, and other engagements conflicting, I shall be unable to more than pay my respects to his address.

Mr. President, a week ago last Monday night, the nominee of the party of the Senator from Pennsylvania delivered his address in New York City accepting the nomination. On Wednesday morning, in the Senate of the United States the Senator from Pennsylvania spoke. I was not surprised that he spoke. The address delivered on Monday night by his candidate for the Presidency had fallen so flat and had been so utterly without issues, that the real leader of the Republican Party, a man than whom there is no one in the party with a stronger personality or a more powerful intellect, spoke upon the floor of the Senate. Realizing that no issues had been raised, he felt called upon for his party to present some. They could not have put up an abler member of their party to present issues. Some one else may be the candidate; some one else may be the nominal leader; but in the party there is no one who has greater influence or comes here having the right to control and to speak for it more than he.

I was, however, surprised—no, not surprised—that in his criticism of Democratic extravagances one of the things he first mentioned was the creation of an armor plant—such a Democratic extravagance; such a horrible thing, by building a Government armor plant to take away some of the revenues that had been made before by private companies.

To-day, Mr. President, the great Senator from Pennsylvania comes as a champion of the Republican Party to do what? To point out an issue against the Democratic administration,

charging it with lack of fidelity to the civil-service system. What a spokesman the Republican Party finds for civil-service reform, for the elimination of all regard to politics, freedom from recognition of party service, selection of men solely without reference to politics to fill office. Where could the Republican Party find among its members a better spokesman upon such a subject than the great champion of civil-service reform in the Republican Party, the Senator from Pennsylvania? The choice is well made as their spokesman to present this issue.

Wednesday, a week ago, dissatisfied with the speech of their candidate, he presented issues for his party. Coming again to-day, he presents issues for his party; and his leadership in the party authorizes him to speak. His issue is the disregard of civil-service reform by the Democratic Party; some recognition by the President in some few cases of men in the party who have contributed something to Democratic success.

With what sincerity we must recognize such a criticism from the Republican Party when it puts up as its champion of reform the Senator from Pennsylvania to make it! How severe is the blow directed at the Democratic Party when it comes backed with the marvelous record for selection for office of men solely on account of merit which backs the distinguished Senator from Pennsylvania.

Mr. President, I was almost amused when I heard the Senator read so long from the report of the Civil Service League. I wondered when the Senator from Pennsylvania became familiar with their reports and when they first interested him. Indeed, I wondered when they first really interested anybody in his party.

It is not necessary in answering him to take up the individual cases that he cited. I undertake to say that following either of Mr. Cleveland's terms more postmasters were removed by the Republicans before the end of their full terms than were removed after the close of Mr. Taft's administration. One of the Senator's charges was that postmasters did not serve out their terms; and from every State where a Senator replied the charge was challenged, for the great bulk of the postmasters were permitted to serve out their terms.

Mr. President, speaking of postmasters, let us see what the record of the Senator's party was. In every single administration that it had it held fourth-class postmasterships for political spoils; but just at the close of the last administration, after they had filled every one of those places with their spoils-men, they blanketed them over with the civil service and kept them in office.

What was the course of the present administration? An order was passed providing for civil-service examinations for fourth-class postmasters. Examinations were held, and the appointees were limited to the three highest on the eligible lists. The Senator says that many Republicans were turned out. I am not surprised at that. I should not be surprised if 99 per cent of the political appointments which his party had made had lost out in those examinations; and yet the great Senator from Pennsylvania comes here as the champion of his party to talk about civil-service reform and the recognition of merit in office!

He then branches off on deputy collectors and deputy United States marshals. For myself, I want to say that I do not think a deputy United States marshal can be selected properly under civil-service examination.

There are qualities required of the vast majority of those who serve as deputy marshals that can not be ascertained or covered by civil-service methods; but I do not think the Senator can attack the efficient service of the men who have received appointments in that department of the public service.

Then the Senator branched off to the Diplomatic Corps. I want to know how many Democrats were left by the Republican President in diplomatic positions after Mr. Cleveland's last term?

The Senator, however, goes further, and he reads from some one in criticism of our representative to Turkey, Mr. Morgenthau. Mr. President, I challenge a criticism of Mr. Morgenthau's service in Turkey. It is said that he took a great interest in Mr. Wilson's campaign and perhaps contributed some money to it. Ah, he showed his wisdom; he showed his knowledge of men; he showed his appreciation of capacity in the course which he pursued; and, then, when the President sent him to Turkey, the President, at least for once, made a splendid selection, for Mr. Morgenthau handled the difficult responsibilities of that office in a manner that has brought to our Nation as much credit as have the acts of any representative who ever went to Constantinople as ambassador from the United States.

But the Senator says that promotions and demotions have been made on account of politics. I challenge the accuracy of that statement.

Mr. PENROSE. I can give the Senator a number of specific instances, if he wants them, at any time.

Mr. SMITH of Georgia. The Senator may find a few instances—

Mr. PENROSE. They occurred all over the country.

Mr. SMITH of Georgia. Of Republicans reduced and of a few Democrats who were promoted; but I have had a good deal of observation, and my observation, department by department, has been an utter disregard of Democrats in connection with promotions and a failure to right the wrongs that have been done to Democrats under preceding Republican administrations.

Mr. PENROSE. That is just what I complain of, Mr. President.

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Georgia yield to the Senator from Pennsylvania?

Mr. SMITH of Georgia. Yes.

Mr. PENROSE. That is just what I complain of. With loud claims of virtue, the Democratic administration proceeds with the ax, and decapitations go on every day. If the Senator would make a candid admission that he is a spoilsman and that this thing is going on, I would stop.

Mr. SMITH of Georgia. I did not catch the Senator's remark.

Mr. PENROSE. I say that is just what I am criticizing in this whole proposition—the lofty pretenses that are made of virtue and purity, and the utter, reckless disregard under the surface of every principle of decency in administering the civil service. If the Senator would come out in a straightforward manner and admit that he is a spoilsman, and wants the places, and that these things are being done, I would not complain; but when he says that the civil-service rules are not manipulated and offices are not abolished to facilitate the demotion of Republicans and the promotion of Democrats, he is either ignorant or he deliberately makes a statement which I know to be without foundation in fact.

Mr. SMITH of Georgia. Well, now, the Senator must be a little careful in his speech. The Senator can not say that I am deliberately making any statement that is not accurate. I say that I have watched the departments, and that the Republicans are promoted oftener than Democrats. I say that from my own knowledge. It is true; and any statement to the contrary, coming from whomever it does, is false.

My complaint is that wrongs done the Democrats in the departments under previous Republican administrations have not been righted; I have been utterly unable to get them righted; and demotions made in the departments of Democrats because they were Democrats have been allowed to remain.

Mr. PENROSE. They must have been pretty tough cases, Mr. President.

Mr. SMITH of Georgia. They were superior men—vastly superior to the Republicans who secured the promotions.

Mr. PHELAN. Mr. President, may I interrupt the Senator for a moment?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from California?

Mr. SMITH of Georgia. Yes.

Mr. PHELAN. The most recent diplomatic appointee, Mr. Fletcher, who has been made ambassador to Mexico, is a Republican.

Mr. SMITH of Georgia. And I criticize that appointment; for, if I had been President, I would have sent a Democrat instead of a Republican to Mexico.

Mr. WADSWORTH. Mr. President, if I may be permitted to interrupt the Senator, Mr. Fletcher has not been sent anywhere as yet.

Mr. SMITH of Georgia. The Senate has confirmed his nomination and he has been given his commission.

Mr. WADSWORTH. The trouble seems to be that the administration does not seem to know where the capital of Mexico is, and so Mr. Fletcher is still in Washington.

Mr. SMITH of Georgia. I am not taking issue with the Senator from New York on that subject; not at all. I do not know where it is, certainly. I wish I did.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Utah?

Mr. SMITH of Georgia. Yes.

Mr. SMOOT. I always believe the Senator from Georgia in making statements makes them absolutely as he understands the situation to be; but do I understand the Senator to say that, for instance, in the Government Printing Office there have been promotions of Republicans and demotions of Democrats?

Mr. SMITH of Georgia. I know very little about the Printing Office.

Mr. SMOOT. I want to say to the Senator from Georgia—
Mr. SMITH of Georgia. Let me answer the Senator's question first. He has asked me about the Printing Office. I know very little about the Printing Office, except I know that two or three people in whom I was interested were demoted and one of them turned out. I do not think I ever secured a promotion, except in the case of one man, and that was when there was a vacancy above him. That is my experience with the Printing Office. Beyond that, as to the whole list of employees in that branch of the service I do not know anything.

Mr. SMOOT. I have the names of all of them, I will say to the Senator, and if he doubts my word I can go to my office and get the list and read exactly what promotions and demotions have been made. There have been demoted, I think, 95 per cent of all the Republicans in the Printing Office, and I do not know of a promotion that they could not give a Democrat, with the exception of Capt. Brian, that has not been given.

I did not desire to enter the debate in a controversial way, but simply wanted to state this fact, because I think the Senator from Georgia wants to have the Record correct.

Mr. SMITH of Georgia. I do.

Mr. SMOOT. Then, I want to say to the Senator from Georgia—

Mr. SMITH of Georgia. I am speaking of my utter inability to get any recognition of Democrats in the departments.

Mr. SMOOT. Of course I can not say what influence the Senator from Georgia may have in getting them, but I know that others get them; I know that the promotions are made and that demotions are made.

Mr. SMITH of Georgia. My observation is that they do not make them—

Mr. HARDWICK. Mr. President, if my colleague will yield to me, I merely want to suggest that, if we may believe current newspaper reports, the Assistant Secretary of State, now acting Secretary of State, was an alternate delegate to the Republican National Convention.

Mr. SMOOT. Who?

Mr. HARDWICK. The Assistant Secretary, and present acting Secretary of State, Mr. Polk. That is what the newspapers state. I do not know whether it is true, but, if it is true, it does not look like we are very partisan in dealing with these matters.

Mr. O'GORMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New York?

Mr. SMITH of Georgia. I do.

Mr. O'GORMAN. I desire merely to correct what I fear is an inaccuracy. Do I understand the Senator from Georgia to say that the Acting Secretary of State was an alternate to the Republican National Convention?

Mr. HARDWICK. I have seen that statement published; that is all I know.

Mr. O'GORMAN. I wish to assure the Senator that that is an error, because the Acting Secretary of State was born a Democrat and has been a Democrat all his life.

Mr. HARDWICK. I am very glad indeed to hear it. I was merely citing that instance, because I had seen it printed, and I suppose that other Senators have seen that statement in print.

Mr. SMITH of Georgia. I never saw it.

Mr. SMOOT. If it was printed, it was a mistake.

Mr. SMITH of Georgia. Speaking of the Acting Secretary of State, the counsellor of the State Department I know, as I know his father and knew his grandfather. His father is a leader in medical science. His grandfather was a bishop and a general. He is a Democrat in person and by descent. I want to say that, of course, I have not paid detailed attention to the departments. I am speaking only of my own observation, and I do understand and know that, so far as my observation has been able to go, they have had commissions or committees in charge of promotions, and wherever I have been able to detect what appeared to be favoritism it seemed to be a personal rather than a political favoritism. I think there has been a good deal, and always will be a good deal, of favoritism in connection with promotions in the departments, but whenever I approached the departmental officers they all have assured me that nothing but the merit system applied and that the records of employees in whom I might be interested would be considered and promotion made based on records alone. There are in the General Land Office to-day several Democrats who were demoted by the Republicans. Those men have been in that office since I was head of the Interior Department, and they are all very able men. One man whom I have in my mind

particularly, who I think is the ablest lawyer in the Interior Department, whom I appointed when I was Secretary of the Interior to a \$2,500 place, was demoted purely on account of politics by a Republican administration, and the present Secretary would not restore him to his former place upon the ground that the department officials were acting under the civil-service law, and that unless a vacancy occurred the promotion could not be made. So my personal observation has been that recommendations have practically nothing to do with promotions. I have not made many, because I do not think they should have anything to do with promotions except to call attention to the merits of particular men that they might be considered by the department.

Mr. OVERMAN. Mr. President, has the Senator ever investigated the Forestry Service appointments?

Mr. SMITH of Georgia. Not very fully.

Mr. OVERMAN. I understand that nearly all the employees are Republicans, and have been so for many years.

Mr. SMITH of Georgia. I have not gone into that very fully, except that I understand that everyone connected with it of any prominence, if not a Republican, is a Progressive, a member of the present party of the Senator from Pennsylvania.

Mr. PENROSE. To what department is the Senator from Georgia referring?

Mr. SMITH of Georgia. The Forestry Department. I think it is just beehived with men who supported the "Colonel" in the last race.

Mr. PENROSE. Mr. President, if the Senator will permit me—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Pennsylvania?

Mr. SMITH of Georgia. Yes.

Mr. PENROSE. I suppose it is necessary to retain a few Republicans in the departments to run them.

Mr. SMITH of Georgia. I do not know whether that was the reason, and I was not sure whether the Senator thought that that branch of the Republican Party was the most efficient part of its operating machine.

Mr. PENROSE. Well, we are a united brotherhood, Mr. President, marching on to victory—

Mr. SMITH of Georgia. Yes.

Mr. PENROSE. And I have no doubt they are just as efficient as anyone else.

Mr. SMITH of Georgia. The Senator from Pennsylvania seems to be pretty thoroughly converted. There was an old adage, which I might paraphrase humorously, that "While the lamp holds to burn the Senator from Pennsylvania has the right to become a Progressive"—changing the language a little—although they had better watch him. He will take the whole thing if they give him a chance.

Mr. PENROSE. Mr. President, if the Senator will permit me, in making my criticisms upon the horrible picture of the civil-service record of the present administration, I was not expressing my own opinion, but was expressing the deliberate criticisms of a responsible nonpartisan body of gentlemen constituting the National Civil Service Association. The Senator has the right to say that perhaps, I having been a partisan a large part of my active life, such criticisms ought to be made conservatively; but I was quoting from the report of the Civil Service Commission, which condemns in emphatic—

Mr. SMITH of Georgia. The Civil Service League, the Senator means.

Mr. PENROSE. The Civil Service League, which is nonpartisan, and three-fourths of which may be Democrats so far as I know, but they are all gentlemen engaged in a propaganda which they believe in; and it is very apparent, from reading their last two annual reports, that they condemn in emphatic terms every legislative and administrative act of the present administration.

Mr. SMITH of Georgia. Mr. President, if you will go back you will find that that same league has condemned every administration that has ever existed, so far as its treatment of civil-service problems was concerned. While I believe in a genuine civil service, while I believe in a genuine recognition of merit in appointments, I must confess that I am not sure that the kid-glove crowd connected with the Civil Service League know more about it than practical men who have had more to do with political affairs. If you will go back to your previous administrations you will find that they never have commended anybody. They have always found something to criticize. That is their business.

Mr. PENROSE. Well, Mr. President, they may never have commended anybody. Their task is criticism, I admit, but in the whole history of the league—I do not know how long it has been in existence—there never was an indictment of an

administration of the character and extent that is contained in this year's and last year's report with reference to the Wilson administration.

Mr. SMITH of Georgia. I will ask the Senator if he has read all their reports?

Mr. PENROSE. Yes, sir.

Mr. SMITH of Georgia. All their previous reports?

Mr. PENROSE. I read them every year with very great interest, as I read a great many other reports. I have them.

Mr. SMITH of Georgia. I have not them here; but I really can find in them ample material criticizing all the other administrations besides.

Mr. PENROSE. It may be, but never an indictment such as is contained here.

Mr. SMITH of Georgia. I do not think there could have been a much weaker one than this report contains.

Mr. PENROSE. That is a matter of opinion.

Mr. SMITH of Georgia. Certainly it is, and I was giving mine.

Some one sends me a memorandum giving me the name of an auditor in the Post Office Department, and states that he is a partisan Republican. I do not know whether he is or not. I will say that I have found him as courteous in my dealings with him as anyone else I have found; and I will not add his name personally to this controversy, because whatever party he belongs to, I have found him exceedingly pleasant to deal with, and I am glad he is left, no matter what party he is connected with.

Mr. PENROSE. If he is the gentleman I have in mind, he is kept there because a new man absolutely could not do his work. He is a skilled expert, has been in the department a great number of years, and is kept there, not out of any love and affection, but simply because the department could not get along without him.

Mr. SMITH of Georgia. However that may be, that is an excellent reason for keeping him.

Mr. PENROSE. Yes.

Mr. SMITH of Georgia. I believe in keeping that kind of men, and I am glad that the Senator from Pennsylvania also believes in keeping them.

Mr. President, I have taken more time than I intended. I only desired to rise to express a recognition of the fact that when the Senator from Pennsylvania speaks and presents issues against the Democratic Party, that the Republican Party is speaking; for mental power and force of character he stands among the very first in his party, at the very head. I speak seriously. I am perfectly frank and sincere when I pay tribute to his great ability and his strength of character. Whenever he speaks and presents his indictment of the Democratic administration I know that no one will present a stronger one. However much it may surprise him I desire to close by adding that having listened to his indictment of Wednesday a week ago, and his fully prepared indictment of to-day, I feel that the Democratic Party may be congratulated that nothing serious is presented.

Mr. LEWIS. Mr. President, it is not my purpose to add either to the jest or the zest of the particular question raised by the able Senator from Pennsylvania [Mr. PENROSE] and countered upon by the distinguished Senator from Georgia [Mr. SMITH]. There is a view I desire at this time to express, hoping that I may allay for the future time a misconception and set at end an indulgence that is generally enjoyed by certain members of our honorable opponents—the Republican Party—concerning an expression used by the President of the United States. It is that of "Too proud to fight."

To-day's papers bring me the information that the candidate for the Presidency of the United States on the Republican ticket, Judge Hughes, after doing me the compliment of making some reference to myself and to my expressed views, makes an allusion to the President and scoffs at the President in terms touching himself, such as "Not too proud to fight."

Mr. President, it has been a busy occupation on the part of certain gentlemen in America to seize upon that expression, "too proud to fight," and, playing around and about it, to capitalize it to what they imagine is their political advantage. As I desire to have something to say touching that expression which the President of the United States used, and concerning that which the able candidate of the Republican Party is quoted as saying, I prefer to impose upon the Senate for a moment by expressing some views—some to be quoted, as they consist mostly of historical and classical allusions.

Mr. President, we who admire the independent intelligence of Judge Hughes deplore that he has surrendered to the yelp and bark of "Blanche," "Sweetheart," and "Tray" in the refrain of "too proud to fight," and upon this attack President Wilson,

charging the use of the expression as a confession of weakness or cowardice on the part of the President, speaking for himself and his country. I had hoped that Judge Hughes might be saved from the exhibition of ignorance displayed by so many lesser but anxious assailants of that which they did not understand.

The expression "too proud to fight" used at Philadelphia by the President to an audience of courageous, Christian people, was the adaptation of an old quotation from the classics, ancient as the Scripture. Its meaning is known to be that a brave people, filled with the consciousness of their right and conscious of their superior strength, were too proud to fight where a concession of what was right would bring justice to all. Too proud to use brute strength to overcome a weak people where by understanding, on the basis of humanity, the rights of all would be preserved and the friendships of all maintained. The President presumed on the intelligence of his audience to understand.

The expression "too proud to fight" is the adaptation of the line from the Latin "non dimicare est vincere," meaning "Not to fight is to conquer."

Lord Chatham used it January 20, 1775, in Parliament, in his speech on the removal of the English troops from Boston. There he applied the "too proud to fight" adage to the condition of America in her weakness compared to Great Britain, as our strength is compared to Mexico. Said Chatham:

Allay the ferment prevailing in America by removing the obnoxious hostile cause, obnoxious and unserviceable, for their merit can only be inaction—"non dimicare est vincere."

Continuing, he said:

Their force would be most disproportionately exerted against a brave and generous people. * * *

Closing with the query, he cried out:

Is the spirit of persecution never to be appeased?

Mr. President, Charles Sumner, in a speech in the United States Senate in the Trent affair, on January 7, 1862, sustaining President Lincoln, who had declined to permit war over a principle contended for by an opponent, fixed in international law, but which our Nation under excitement had in haste violated—and concerning which had we gone to war would have involved us in a conflict to establish that which we knew was not the principle of right but the principle of force—Senator Sumner said, referring to what was called "surrender":

In this surrender, if such it may be called, the National Government does not even "stoop to conquer." It simply lifts itself to the height of its original principles. The early efforts of its best negotiators, the patriotic trial of its soldiers * * * may at length prevail. Yet * * * there are victories of force; but here is a victory of truth.

Concerning this speech of Mr. Sumner, in his adaptation and construction of the phrase "too proud to fight," one of his American historians, Mr. Morse, has this to say:

The speech was generally approved by men of all parties on this side of the ocean. It smoothed the ruffled sensibilities and turned apparent humiliation into triumph.

Mr. President, I often regret that President Wilson can not find it compatible with his sense of the dignity of his position to sometimes enter into explanations—not that he should descend to make defense where accusation is made from sources absurd and ridiculous, but that he might demonstrate to the great mass of his fellow mankind how, prompted by malevolence in some instances and by ignorance in others, are the sources of the assaults upon him.

Mr. President, as the present campaign progresses let us all hope that, out of a wish for a just discussion of real issues and from a respect to the dignity of the contest, there may be an end to the display of frenzy or foolishness and that both candidates may be exempt from the malevolence of malice or the absurdities of ignorance.

Mr. NELSON. Mr. President, I have been very much interested in the speech of the Senator from Illinois. It reminds me a good deal of Coke upon Littleton.

Mr. LEWIS. I may say, in answer to my able friend, that Coke upon Littleton has its present application only in referring to something that has been badly burned and smoked out. Coke invariably has to be. I do not know to what my able friend may refer in the application he makes; but I did intend to light a small fire, hoping that in its conflagration little bugs that had buzzed and hummed around this particular political possibility may be burned out. [Laughter.]

The PRESIDING OFFICER (Mr. THOMPSON in the chair). The bill is before the Senate as in Committee of the Whole and will be read by the Secretary.

The Secretary proceeded to read the bill.

Mr. GALLINGER. Mr. President, unless an order to the contrary has been agreed to in my absence, I ask that the first reading of the bill be in full. It can then be taken up for amendment.

The PRESIDING OFFICER. There has been no order made, as the Chair understands.

Mr. CLARKE of Arkansas. Mr. President, it is my understanding that the Senator from Florida [Mr. FLETCHER] asked on yesterday that the formal reading of the bill be dispensed with, and that it be read for committee amendments.

Mr. GALLINGER. That is the very question I asked. I was not present when that order was made, and I simply wanted to know the situation.

The PRESIDING OFFICER. The Secretary informs the present occupant of the chair that there is no record of any such order. Does the Senator from Florida make that request?

Mr. CLARKE of Arkansas. Would the Senator from New Hampshire object to such an order?

Mr. GALLINGER. I ask that the bill be read in full first. I think we will not gain any time by the other procedure.

The Secretary proceeded to read the bill.

Mr. JONES. Mr. President, I understand the bill is simply being read now, and not for amendment?

The VICE PRESIDENT. There was no unanimous consent granted to waive the reading of the bill, so it must be read.

The Secretary resumed and concluded the reading of the bill.

Mr. NELSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Norris	Smith, S. C.
Borah	Hollis	O'Gorman	Smoot
Brandegee	Hughes	Overman	Sterling
Bryan	Husting	Phelan	Stone
Chilton	Jones	Pittman	Swanson
Clark, Wyo.	Kern	Reed	Thomas
Clarke, Ark.	Lane	Shafroth	Thompson
Cummins	Lee, Md.	Sheppard	Tillman
Curtis	Lewis	Shields	Wadsworth
Fletcher	Martin, Va.	Simmons	Williams
Gallinger	Nelson	Smith, Ariz.	

Mr. LANE. I wish to announce the absence of my colleague [Mr. CHAMBERLAIN] on official business.

Mr. KERN. I desire to announce that the Senator from Ohio [Mr. POMERENE] is absent on important business.

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present.

Mr. SMITH of Georgia and Mr. RANSDELL entered the Chamber and answered to their names.

The VICE PRESIDENT. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. BANKHEAD, Mr. BECKHAM, Mr. CULBERSON, Mr. SMITH of Maryland, and Mr. WARREN answered to their names when called.

Mr. LA FOLLETTE entered the Chamber and answered to his name.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present.

PUBLIC UTILITIES COMMISSION.

Mr. GALLINGER. Mr. President, I dislike exceedingly to take a single moment of time in discussing a matter not related to the bill under consideration, but in accordance with the notice I gave on the 7th instant that I would occupy a few moments in calling attention to the powers, duties, and responsibilities of the Public Utilities Commission of the District of Columbia, I avail myself of the opportunity to do so at this time.

For many years prior to 1912 we had controversies in both Houses of Congress over the rates for gas, electric light, telephone service, and transportation on the street railways of the District. In view of that fact there was a strong demand made that a public utilities commission should be created that would take out of Congress all such matters, and have them adjusted by a commission clothed with full powers to ascertain values, regulate rates and charges, and enforce their demands. At that time I was chairman of the Committee on the District of Columbia, and in response to that demand, during the recess of Congress, I came to Washington in midsummer and spent about a month in formulating a bill that would meet the popular demand on that subject.

In considering the proposed legislation the services of the District attorney, the Commissioners of the District of Columbia, and leading citizens of the District were availed of, and the men at the head of the several public utilities were also required to present their views. To my surprise no man at the head of a public utility opposed the proposition that a public utilities commission should be created. Most of the laws passed by the several States of the country were carefully examined, and after a study covering three or four weeks a bill was framed, many provisions of which will be found in the statutes

of Wisconsin, New York, and Maryland. I presented that bill to the Senate and secured its passage as an amendment to the District of Columbia appropriation bill, the public sentiment being so strong in its favor that there was no objection to its consideration as an amendment to that bill. The House concurred in the amendment, and it became a law on the 4th day of March, 1913.

As before suggested, the law was passed for the express purpose of taking out of Congress the discussion of matters relating to public utilities of the District, as the States had similarly done with a view to relieving the legislatures of all matters of that kind. The statute creating the commission is as strict a law as any State in the Union has passed, and is fully adequate to protect the people in all their rights as against the corporations.

On Thursday of last week, when the District of Columbia appropriation bill was under consideration, and an amendment was pending reducing the price of gas in the District, I called attention to the fact that the matter should be left entirely to the Public Utilities Commission. I have a distinct recollection of a disagreeable observation that I heard made by a Senator sitting quite a little distance from me when the charge was made that I was defending the corporations, and in that way opposing the interests of the common people of the District, but such suggestions never disturb me in the least. It will be recalled that my contention on that occasion was that Congress should not interfere with a matter that had been placed unreservedly in the hands of a commission with express legislative authority to do the very thing that was being done in the Senate, to wit, to regulate the price of public-utility services.

I now propose, in as brief a manner as possible, to call attention to some of the salient features of the act of March 4, 1913, and trust that Senators will give attention to them. I will take such paragraphs from the law as relate to the powers, duties, and responsibilities of the public-service commission, not for the purpose of controversy, but that the matter may be fairly presented to the Senate.

Par. 2. That every public utility doing business within the District of Columbia is required to furnish service and facilities reasonably safe and adequate and in all respects just and reasonable. The charge made by any such public utility for any facility or services furnished, rendered, or to be furnished or rendered, shall be reasonable, just, and non-discriminatory. Every unjust or unreasonable or discriminatory charge for such facility or service is prohibited and is hereby declared unlawful. Every public utility is hereby required to obey the lawful orders of the commission created by this section.

Par. 6. That the commission shall ascertain, as soon and as nearly as practicable, the amount of money expended in the construction and equipment of every public utility, including the amount of money expended to procure any right of way; also the amount of money it would require to secure the right of way, reconstruct any roadbed, track, depots, cars, conduits, subways, poles, wires, switchboards, exchanges, offices, works, storage plants, power plants, machinery, and any other property or instrument not included in the foregoing enumeration used in or useful to the business of such public utility, and to replace all the physical properties belonging to the public utility. It shall ascertain the outstanding stock, bonds, debentures, and indebtedness, and the amount, respectively, thereof, the date when issued, to whom issued, to whom sold, the price paid in cash, property, or labor therefor, what disposition was made of the proceeds, by whom the indebtedness is held, so far as ascertainable, the amount purporting to be due thereon, the floating indebtedness of the public utility, the credits due the public utility, other property on hand belonging to it, the judicial or other sales of said public utility, its property or franchises, and the amounts purporting to have been paid, and in what manner paid therefor, and the taxes paid thereon. The commission shall also ascertain in detail the gross and net income of the public utility from all sources, the amounts paid for salaries to officers and the wages paid to its employees, and the maximum hours of continuous service required of each class. Whenever the information required by this paragraph is obtained it shall be printed in the annual report of the commission. In making such investigation the commission may avail itself of any information in possession of any department of the Government of the United States or of the Commissioners of the District of Columbia.

Par. 7. That the commission shall value the property of every public utility within the District of Columbia actually used and useful for the convenience of the public at the fair value thereof at the time of said valuation.

Par. 9. That the commission may at any time, on its own initiative, make a revaluation of the property of any public utility.

Par. 11. That the commission shall prescribe the forms of all books, accounts, papers, and records required to be kept, and every public utility is required to keep and render its books, accounts, papers, and records accurately and faithfully in the manner and form prescribed by the commission, and to comply with all directions of the commission relating to such books, accounts, papers, and records. In so far as practicable for the purposes of this section, the form prescribed shall be the form accepted by the Interstate Commerce Commission.

Par. 21. That the commission shall ascertain and fix adequate and serviceable standards for the measurement of quality, pressure, initial voltage, or other condition pertaining to the supply of the product or service rendered by any public utility, and prescribe reasonable regulations for examining and testing such product or service and for the measurement thereof. It shall establish reasonable rules, regulations, specifications, and standards to secure the accuracy of all meters and appliances for measurements, and every public utility is required to carry into effect all orders issued by the commission relative thereto.

Par. 34. That the commission or any commissioner or any person or persons employed by the commission for that purpose shall, upon demand, have the right to inspect the books, accounts, papers, records, and memoranda of any public utility, and to examine, under oath, any officer, agent, or employee of such public utility in relation to its

business and affairs. Any person other than one of said commissioners who shall make such demand shall produce his authority to make such inspection or examination.

Par. 35. That the commission may require, by order or subpoena, to be served upon any public utility in the same manner that a summons is served in a civil action in the Supreme Court of the District of Columbia, the production within the District of Columbia at such time and place as it may designate of any books, accounts, papers, or records kept by such public utility in any office or place without the District of Columbia, or verified copies in lieu thereof, if the commission shall so order, in order that an examination thereof may be made by the commission under its direction. Any public utility failing or refusing to comply with any order or subpoena shall for each day it shall so fail or refuse forfeit and pay to the District of Columbia the sum of \$100, to be recovered in an action to be brought in the name of said District.

Par. 41. That if upon such investigation the rates, tolls, charges, schedules, or joint rates shall be found to be unjust, unreasonable, insufficient, or unjustly discriminatory, or to be preferential or otherwise in violation of any of the provisions of this section, the commission shall have power to determine and by order fix and order to be substituted therefor such rate or rates, tolls, charges, or schedules as shall be just and reasonable. If upon such investigation it shall be found that any regulation, time schedule, act, or service complained of is unjust, unreasonable, insufficient, preferential, unjustly discriminatory, or otherwise in violation of any of the provisions of this section, or if it be found that reasonable service is not supplied, the commission shall have power to determine and substitute therefor such other regulations, time schedules, service, or acts and to make such orders respecting and such changes in such regulations, time schedules, service, or acts as shall be just and reasonable.

Par. 42. That if upon investigation it shall be found that any rate, toll, charge, schedule, or joint rate, or rates, is unjust, unreasonable, insufficient, or unjustly discriminatory or preferential, or otherwise in violation of any of the provisions of this section, or that any time schedule, regulation, act, or service complained of is unjust, unreasonable, insufficient, preferential, or otherwise in violation of any of the provisions of this section, or if it be found that reasonable service is not supplied, the public utility found to be at fault shall pay the expenses incurred by the commission upon such investigation.

Par. 55. That the commission shall, within its jurisdiction—

Have general supervision of all gas corporations and electrical corporations having authority under any general or special law or under any charter or franchise to lay down, erect, or maintain wires, pipes, conduits, ducts, or other fixtures in, over, or under the streets, highways, and public places in the District of Columbia for the purpose of furnishing or distributing gas or of furnishing or transmitting electricity for light, heat, or power, or maintaining underground conduits or ducts for electrical conductors, and all gas plants and electric plants owned, leased, or operated by any corporation.

Investigate and ascertain, from time to time, the quality and quantity of gas supplied by persons or corporations; examine or investigate the methods employed by such persons and corporations in manufacturing, distributing, and supplying gas or electricity for light, heat, or power, and in transmitting the same, and have power to order such reasonable improvements as will reasonably promote the public interest, preserve the public health, and protect those using such gas or electricity and those employed in the manufacture and distribution thereof or in the manufacture and operation of the works, wires, poles, lines, conduits, ducts, and systems connected therewith, and have power to order reasonable improvements and extensions of the works, wires, poles, lines, conduits, ducts, and other reasonable devices, apparatus, and property of gas corporations and electrical corporations.

Par. 61. That all public utilities to which an order of the commission applies shall make such changes in their schedules on file as may be necessary to make the same conform to said order, and no change shall thereafter be made by any public utility in any such rates, tolls, or charges, or in any joint rate or rates, without the approval of the commission. Certified copies of all other orders of the commission shall be delivered to the public utility affected thereby in like manner, and the same shall take effect within such reasonable time thereafter as the commission shall prescribe.

Par. 63. That all rates, tolls, charges, time and condition of payment thereof, schedules, and joint rates fixed by the commission shall be in force and shall be prima facie reasonable until finally found otherwise in an action brought for that purpose.

Par. 64. That if at any time the commission shall be in doubt of the elements of value to be by them considered in arriving at the true valuation under the provisions of this section, they are authorized and empowered to institute a proceeding in equity in the Supreme Court of the District of Columbia, petitioning said court to instruct them as to the element or elements of value to be by them considered as aforesaid, and the particular utility under valuation at the time shall be made party defendant in said action.

Par. 66. That no injunction shall issue suspending or staying any order of the commission, except upon application to the Supreme Court of the District of Columbia or a judge thereof, and only upon notice to the commission and after hearing had.

Par. 85. That if any public utility shall violate any provision of this section, or shall do any act herein prohibited, or shall fail or refuse to perform any duty enjoined upon it for which a penalty has not been provided, or shall fail, neglect, or refuse to obey any lawful requirement or order made by the commission, or any judgment or decree made by any court upon its application, for every such violation, failure, or refusal such public utility shall forfeit and pay to the District of Columbia the sum of \$200 for each such offense. In construing and enforcing the provisions of this paragraph, the act, omission, or failure of any officer, agent, or other person acting for or employed by any public utility acting within the scope of his employment, and instructions shall in every case be deemed to be the act, omission, or failure of such public utility.

Par. 87. That every day during which any public utility, or any officer, agent, or employee thereof, shall fail knowingly or willfully to observe and comply with any order or direction of the commission, or to perform any duty enjoined by this section, shall constitute a separate and distinct violation of such order, or direction, or of this section, as the case may be.

Par. 88. That whenever, after hearing and investigation as provided in this section, the commission shall find that any rate, toll, charge, regulation, or practice of any public utility within the District of Columbia is unreasonable or discriminatory, it shall have the power to regulate, fix, and determine the same as provided in this section.

Par. 24. That every public utility shall file with the commission, within a time to be fixed by the commission, schedules, which shall be open to public inspection, showing all rates, tolls, and charges which it has established and which are in force at the time for any service performed by it within the District of Columbia, or for any service in connection therewith or performed by any public utility controlled or operated by it. The rates, tolls, and charges shown on such schedules shall not exceed the rates, tolls, and charges now allowed by law, and shall be the lawful rates, tolls, and charges within the District of Columbia, and shall remain and be in force until set aside by the commission.

Par. 73. That no public utility shall hereafter issue any stocks, stock certificates, bonds, mortgages, or any other evidences of indebtedness payable in more than one year from date, until it shall have first obtained the certificate of the commission showing authority for such issue from the commission.

Par. 74. That no public utility shall issue any stocks, certificates of stock, bonds, or other evidences of indebtedness for money, property, or services, either directly or indirectly, nor shall it receive any money, property, or services in payment of the same, either directly or indirectly, until there shall have been recorded upon the books of such public utility the certificate of the commission in this section provided for.

Par. 75. That no public utility shall declare any stock, bond, or scrip dividend or divide the proceeds of the sale of any stock, bond, or scrip among its stockholders.

Par. 76. That no public utility shall issue any stocks, certificates of stock, bonds, or other evidences of indebtedness secured on its property in the District of Columbia for the purpose of any reorganization or consolidation in excess of the total amount of the stocks, certificates of stock, bonds, or other evidences of indebtedness then outstanding against the public utilities so reorganizing or consolidating; and no such public utility shall purchase the property of any other public utility for the purpose of effecting a consolidation until the commission shall have determined and set forth in writing that said consolidation will be in the public interest, nor until the commission shall have approved in writing the terms upon which said consolidation shall be made.

Par. 77. That no public utility shall apply the proceeds of any such stock, certificates of stock, bonds, or other evidence of indebtedness to any other purpose, or issue the same on any less favorable terms, than that specified in the certificate issued by the commission.

Par. 78. That all stocks, certificates of stock, bonds, and other evidences of indebtedness issued contrary to the provisions of this section shall be void.

Par. 79. That any public utility, or any agent, director, or officer thereof, who shall, directly or indirectly, issue or cause to be issued any stocks, certificates of stock, bonds, or other evidences of indebtedness contrary to the provisions of this section, or who shall apply the proceeds from the sale thereof to any purposes other than that specified in the certificate of the commission, shall forfeit and pay into the Treasury of the United States, one-half to the credit of the District of Columbia, not less than \$1,000 nor more than \$10,000 for each offense.

Par. 80. That each and every director, president, secretary, or other official of any such public utility who shall make any false statement to secure the issue of any stock, certificate of stock, bond, mortgage, or other evidence of indebtedness, or who shall, by false statement knowingly made, procure the commission the making of the certificate herein provided, or issue, with knowledge of such fraud, negotiate, or cause to be negotiated, any such stock, certificate of stock, bond, mortgage, or other evidence of indebtedness in violation of this section, shall be guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not less than \$1,000 or by imprisonment for a term of not less than one year, or by both such fine and imprisonment, in the discretion of the court.

Par. 81. That if any public utility, or any agent or officer thereof, shall, directly or indirectly, by any device whatsoever, or otherwise, charge, demand, collect, or receive from any person, firm, or corporation a greater or less compensation for any service rendered or to be rendered by it in, or affecting or relating to, the conduct of a street railroad or street railroad corporation, common carrier, gas plant, gas corporation, electric plant, electric corporation, water-power company, telephone line, telephone corporation, telegraph line, or telegraph corporation, or pipe-line company, or to the production, transmission, delivery, or furnishing of heat, light, water, or power, or the conveyance of telephone or telegraph messages, or for any service in connection therewith than that prescribed in the public schedules or tariffs then in force or established as provided herein, or than it charges, demands, collects, or receives from any other person, firm, or corporation other than one conducting a like business for a like and contemporaneous service, such public utility shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be a misdemeanor and unlawful, and upon conviction thereof shall forfeit and pay to the District of Columbia not less than \$100 nor more than \$1,000 for each offense; and such agent or officer so offending shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$100 for each offense.

It will thus be seen, Mr. President, that every possible safeguard has been thrown around the interests of the public in this statute, and that the duties of the commission are specifically laid down, with penalties for the nonobservance of their duties.

The chief point that I desire to emphasize is that provided in paragraph 24, which states:

The rates, tolls, and charges shown on such schedules shall not exceed the rates, tolls, and charges now allowed by law, and shall be the lawful rates, tolls, and charges within the District of Columbia, and shall remain and be in force until set aside by the commission.

Another matter that is worthy of particular attention is the provision relating to the issuance of stocks, certificates of stock, bonds, or other evidences of indebtedness. This provision makes it utterly impossible for any corporation in this District to do what is alleged against the Washington Gas Light Co., and absolutely safeguards the public against any increase of the capitalization of that or any other corporation without the sanction of law. The provision placing in the hands of the commission complete power and authority to change the rates, tolls, and charges is full and conclusive, and yet the Senate, unmindful of

that provision, saw fit to change the charges for gas in the District of Columbia. It was an open and palpable nonobservance of law, as Congress had transferred its authority in that regard to a commission, which was clothed with authority and directed to do the very thing that Congress did.

Mr. President, I call attention to this matter in justice to myself. I am not now a member of the Committee on the District of Columbia and do not expect in the future to have much to do in the framing of laws for this District, but, after a service of 22 years on the committee, I am quite unwilling that it should go to the country that I have neglected my duties and permitted the corporations of the District to take advantage of the consuming public. It is a charge that has no foundation in fact and ought not to be made by any Member of this body, and I think I feel entirely justified in saying that under no circumstances would it have been made by any Senator on either side of the Chamber who has served with me for a considerable length of time. If we are to utterly ignore the statute placing the authority to which I have called attention in the hands of the Public Utilities Commission and proceed to legislate ourselves on matters that are entirely in their hands, we certainly should follow that by abolishing the commission, which under such circumstances will be a useless, unnecessary, and costly institution. Failing in that, we should refrain from legislating on matters that are in the jurisdiction of the commission, placed there by Congress in an unrevoked statute.

Mr. WORKS. Mr. President, may I ask the Senator from New Hampshire a question?

Mr. GALLINGER. Certainly.

Mr. WORKS. Does the Senator know of an instance since the enactment of this legislation on the subject where the work of the commission has proved unsatisfactory and in which they have neglected their duties in any way?

Mr. GALLINGER. I confess I can not answer that question. Having been responsible for this statute to a very large extent, and recalling the fact that we had safeguarded it to the extent that we had, and placed in this commission this absolute and undisputed power, I confess it was a surprise to me that the matter should ever have been brought up in the Senate.

Mr. WORKS. I wondered at it myself, and that led me to inquire whether the Senator had any knowledge of the reason for taking that course.

Mr. GALLINGER. I have not.

Mr. WORKS. I think the Senator is perfectly right in saying that the matter should be left to the commission, as we have constituted that commission with ample authority. I think I had something to do with that legislation myself, as the Senator will remember.

Mr. GALLINGER. The Senator from California had.

Mr. WORKS. I had something to do with getting that law into proper shape, and I thought it was fairly satisfactory.

Mr. JONES addressed the Senate. After having spoken for an hour and three quarters,

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Washington yield to the Senator from Florida?

Mr. JONES. I yield to the Senator.

Mr. FLETCHER. May I inquire of the Senator whether he thinks he can conclude his address this afternoon?

Mr. JONES. No. I have taken much more time than I had expected. I really hoped that I would not need to start in to-day because I simply had notes made. I think if I had had time to reduce my remarks to writing I could have cut them very much shorter, because I have gone on very much longer now than I expected. I could not get through to-day, and if the Senator from Florida would like to have the Senate take a recess I shall be very glad to yield for that purpose.

Mr. FLETCHER. I wish to save all the time I can in the matter, but under the circumstances, as this has been a long day, I expect we would not lose any time if we took a recess now.

Mr. JONES. I think not. I may be able to condense my notes to-night and make my remarks shorter to-morrow.

[Mr. JONES's entire speech is printed in the Senate proceedings of August 11, 1916.]

Mr. FLETCHER. If it suits the Senator, I will move that the Senate take a recess until 10 o'clock to-morrow.

Mr. JONES. Very well.

Mr. FLETCHER. I make that motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate took a recess until to-morrow, Friday, August 11, 1916, at 10 o'clock a. m.